



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, April 6, 2023 - 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

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 4/6/2023. 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 Atkinson requested to add an item to the Agenda, Item 8.F. - Service Agreement AES Warrior Run and ACDES. There were no additions or deletions to the agenda.

4. 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.

5. Presentations

A. Child Abuse Prevention Month, Proclamation - Courtney Thomas-Winterberg

The Allegany County Commissioners presented a proclamation to the Allegany County Department of Social Services to recognize April 2023 as Child Abuse Prevention Month. Accepting the proclamation were Courtney Thomas-Winterberg, Chrissy Ujcic, Brooke VonStein, and Tracy Wilson.

B. Fair Housing Month, Proclamation - David Nedved

The Allegany County Commissioners presented a proclamation recognizing April 2023 as Fair Housing Month. Accepting the proclamation was David Nedved.

C. Frostburg State University, 125th Anniversary Citation - Dr. Ron Nowaczyk

The Allegany County Commissioners presented a citation to Frostburg State University in recognition of their 125th Anniversary. Accepting the citation were President Ron Nowaczyk, Dr. John Short, Mr. Tom Bowling, Ms. Carmen Jackson, and Mr. John Kirby.

6. Public Hearing

7. Action Agenda

8. Consent Agenda

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. Declaration of Surplus Vehicles - Utilities Division

The Department of Public Works Utilities Division has three items that have reached the end of their useful lives. These items should be declared surplus and disposed of according to County policy. The items to be declared as surplus are as follows:

2003 Chevrolet 3/4 ton 4x4 Pickup Truck (County Vehicle #110), VIN #1GCHK24U63E335695
2003 Ford F450 Dump Truck (County Vehicle #130), VIN #1FDFX47F53EB02976
O'Brien Jetter (County Vehicle #125), VIN #1Z9DBJ1E21L119059

B. Declaration of Surplus Vehicles - Roads Division

The Roads Division has thirteen items that have reached the end of their useful lives. These items should be declared surplus and disposed of according to County policy. The items to be declared as surplus are as follows:

2000 International 4900 Truck (County Vehicle #85) VIN #1HTSDADR61H344076
1990 International 4900 Truck (County Vehicle #1) VIN #1HTSDTVN9LH257928
2009 Ford F150 Pickup Truck (County Vehicle #100) VIN #1FTRF14W19KB23141
1999 International 2554 Truck (County Vehicle #104) VIN #1HTGBAAR6XH671263
1987 Dresser 520B Loader (County Vehicle #19) VIN #358TH2D042884
1999 GMC C8500 Truck (County Vehicle #16) VIN #1GDP7H1C9XJ500756
1998 New Holland 774 Mower (County Vehicle #12) VIN #086490B
1998 International Truck (County Vehicle #72) VIN #1HTSDAAR3WH52968
1998 International Truck (County Vehicle #73) VIN #1HTSDAAR5WH52968
1998 International Truck (County Vehicle #74) VIN #1HTSDAAR7WH52968
2000 GMC C8500 Truck (County Vehicle #25) VIN #1GDP7H1C6YJ525986
1994 Ford F700 Crane (County Vehicle #35) VIN #1FDPK74C5RVA22934
2001 Chevy 1500 Pickup Truck (County Vehicle #90) VIN #1GCEK14W61Z278547

C. Travel Request Approval - Sheriff's Department

Board of County Commissioners to approve the travel request for Chapin Jewell to attend a conference addressing the opioid crisis from April 10-13, 2023, Atlanta, Georgia, at a cost not to exceed \$1,000.

D. Wellpath Contract Continuation - Detention Center

Annual medical contract with Wellpath that provides all medical care for inmates at the Detention Center. This contract is a one-year continuation.

E. FY 2024 Cumberland Area Unified Planning Work Program - Resolution 23-7

The County Commissioners, having been designated the Metropolitan Planning Organization for the Cumberland Area, are required to endorse the unified Planning Work Program every year, as a prerequisite for approval of federal funding.

F. Service Agreement between AES Warrior Run & the Allegany County Department of Emergency Services

The agreement between ACDES and AES Warrior Run provides confined space rescue services in support of AES Warrior Run.

9. Public Comment

Constituents – In order of sign-up sheet:

Vicki Thornton - spoke in opposition of the Women's Health Center of West Virginia potentially performing abortions at their recently purchased property on McMullen Hwy.

Kathleen Heinrick - spoke in opposition of the Women's Health Center of West Virginia potentially performing abortions at their recently purchased property on McMullen Hwy.

Morgan Witmer - spoke in opposition of the Women's Health Center of West Virginia potentially performing abortions at their recently purchased property on McMullen Hwy.

Michael Mudge - spoke in opposition of the Women's Health Center of West Virginia potentially performing abortions at their recently purchased property on McMullen Hwy.

Eric Justice - spoke in opposition of the Women's Health Center of West Virginia potentially performing abortions at their recently purchased property on McMullen Hwy.

Brett Dimaio - spoke in opposition of the Women's Health Center of West Virginia potentially performing abortions at their recently purchased property on McMullen Hwy.

Coleton Furlow - spoke in opposition of the Women's Health Center of West Virginia potentially performing abortions at their recently purchased property on McMullen Hwy.

Linda Drummond - spoke in opposition of the Women's Health Center of West Virginia potentially performing abortions at their recently purchased property on McMullen Hwy.

Greg Kerr - Representing the Cumberland Skate Park Committee, requesting clarification of support for their project.

Administrator Bennett noted that the Commissioners have yet to vote on financial support for the project, and no action would be taken until that happened.

Jim Snyder - spoke in opposition of the Women's Health Center of West Virginia potentially performing abortions at their recently purchased property on McMullen Hwy.

Pam Cover - spoke in opposition of the Women's Health Center of West Virginia potentially performing abortions at their recently purchased property on McMullen Hwy.

Michelle Miller - spoke regarding loose cows in the Corriganville area. Commissioner Atkinson and the Sheriff shared that they have been in contact with the cow owners, and there are multiple people working to corral them.

John Fetherero - spoke in opposition of the Women's Health Center of West Virginia potentially performing abortions at their recently purchased property on McMullen Hwy.

County Attorney Lee Beeman shared that the Commissioners held an Executive Session directly prior to the public meeting to research any courses of action they had available to them regarding the prevention of abortions being performed within the county. Through current and pending legislation, and pending constitutional amendments, current Maryland law states that the government may not interfere with the decision of a woman to terminate a pregnancy. House Bill 705 is a pending amendment, and will likely be on referendum next year. That will effectively establish Roe vs. Wade as state law in Maryland. The State law trumps anything that can be done by the County. They are still looking for options and researching, but it is a very uphill battle.

10. Reports

A. County Administrator

Nothing further to share

B. County Attorney

Nothing further to share

11. Commissioner Comments

Commissioner Creade Brodie explained that the State of Maryland has gone to the Federal level and asked to make their own decisions on issues, but they have taken that right away from the Counties and Local Government. He suggested

that this is where citizens start, by opposing that structure at the state level.

Commission President Caporale expressed that he would like to see the referendum on upcoming legislation to reflect that the Counties should be able to make their own decisions on this.

Commissioner Atkinson agreed with their statements.

12. Reminders/Upcoming Meetings

A. NEXT MEETING - April 20, 2023, 5:00 PM

13. Adjournment

There being no further business to come to the attention of the Board, the meeting was adjourned at 06:33 PM.