

April 7, 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: 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

There were no additions or deletions to the Agenda.

MOTION

Upon Motion by Commissioner Brodie, and seconded by Commissioner Caporale, the Minutes of the March 24, 2022, public business meeting were approved by the Board of County Commissioners.

PRESENTATION

Item 1 – Fair Housing Month 54th Anniversary Proclamation – David K. Nedved, Economic & Community Development Representative, provided background and details about Fair Housing Month. He pointed out that the County Commissioners have shown their commitment to fair housing in Allegany County by adopting a Fair Housing and Equal Opportunity Plan, which was renewed in September 2019 and will be renewed again later this year, in September 2022.

At the conclusion of Mr. Nedved's remarks, Commissioner Shade read and presented him with an official Proclamation of April 2022 as Fair Housing Month in Allegany County.

Item 2 – Child Abuse Awareness and Prevention Month Proclamation – Christina Ujcic, Child Abuse Coordinator, thanked the Commissioners for the opportunity to speak and told them that she was present on behalf of the Child Abuse Taskforce and Jane's Place. Ms. Ujcic shared some remarks on what child abuse awareness stands for, referring to child abuse as a public health crisis that is one hundred percent preventable. She thanked the Commissioners and the County for their continued support, which has been ongoing since 1981. Ms. Ujcic presented some information and statistics regarding child abuse in Allegany County.

Commissioner Shade then read and presented Ms. Ujcic with an official Proclamation of April 2022 as Child Abuse Awareness Month in Allegany County.

After presentation of the Proclamation, County Attorney Lee Beeman commented on the Child Abuse Task Force and Jane's Place, calling them a real asset to the community. He told the Commissioners that as part of the County's legal system, he has seen both the Task Force and Jane's Place in action, and they are truly wonderful. The Commissioners expressed their agreement with his remarks.

Item 3 – Income Tax Rate Reduction 3.05% to 3.00% Discussion – Jacob C. Shade, President, explained that over the last two weeks, the Commissioners have looked at the possibility of lowering the income tax rate from 3.05 % to 3 %. He offered some remarks and information on this issue. Commissioner Caporale also added his comments on this issue. Commissioner Shade confirmed that this Item is just for discussion this evening.

ACTION AGENDA

Item 4 – Road Opening Petition – Possible Action – Gregory P. Nicol – The road opening petition is with the intent of closing a ten-foot unnamed lane or alley lying immediately adjacent to the property of Gregory P. Nicol between Upper Rockville Street and St. Mary's Church Terrace, near the Town of Lonaconing, Allegany County, Maryland – Gorman E. Getty, III, Esquire.

County Attorney Lee Beeman explained that Attorney Gorman Getty III was unable to attend this evening's meeting. Attorney Beeman asked the Commissioners to recall that Attorney Getty was present at previous Commissioners public business meetings, on March 24, 2022, during which his client's road opening petition was introduced and a public hearing was then held on the petition. He briefly discussed the details of the petition, and then told the Commissioners that they could take action on the petition this evening after taking any further public comment regarding the road opening petition.

Commissioner Shade asked if there was any public comment this evening concerning the road opening petition as previously presented by Attorney Getty for his client, Gregory Nicol. There were no comments or further discussion.

Upon Motion made by Commissioner Brodie, and seconded by Commissioner Caporale, the Board of County Commissioners approved and granted the road opening petition with the intent of closing a ten-foot unnamed lane or alley lying immediately adjacent to the property of Gregory P. Nicol between Upper Rockville Street and St. Mary's Church Terrace, near the Town of Lonaconing, Allegany County, Maryland.

Item 5 – Adoption of the Allegany County Solid Waste Management Plan 2021-2031 – Board of County Commissioners to approve the adoption of the Allegany County Solid Waste Management Plan 2021-2031 – Adam Patterson, PE, Public Works Director, presented background and details for this Item, as set forth on a Staff Report on the subject dated April 1, 2022, a copy of which is attached to and made a part of these Minutes.

Commissioner Brodie thanked Mr. Patterson and the Solid Waste Management Board for their efforts regarding the County's solid waste management plan. Commissioners Shade and Caporale also expressed their thanks.

Commissioner Caporale moved that the Board of County Commissioners approve the adoption of the Allegany County Solid Waste Management Plan 2021-2031. Commissioner Brodie seconded the Motion. Motion carried to approve.

CONSENT AGENDA

As recommended by the County Administrator

Upon Motion by Commissioner Caporale, 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 6 – Request to Award Contract for Line Striping Services – Board of County Commissioners approved the award for line striping services on 92.7 miles of county-maintained roadways to Alpha Space Control Company, Inc., Chambersburg, Pennsylvania, in the amount of \$111,629.64.

Item 7 – Bowling Green Water Meter Replacement and Booster Pump Project Bid Award – Board of County Commissioners approved the award for the Bowling Green Water Meter Replacement and Booster Pump project to Excavating Associates, Inc., Ellerslie, in the amount of \$1,581,628, and authorized the President of the County Commissioners to sign the necessary contract documents.

Item 8 – Tri-State and Uhl Highway/Oldtown Road Pump Station Rehabilitation Project Bid Award – Board of County Commissioners approved the award for the Tri-State and Uhl Highway/Oldtown Road Pump Station Rehabilitation project to Walter N. Yoder & Sons, Inc., Cumberland, in the amount of \$473,735, and authorized the President of the County Commissioners to sign the necessary contract documents.

Item 9 – Route 36 Water Pressure Reducing Valve Replacement Project Bid Award – Board of County Commissioners approved the award for the Route 36 Water Pressure Reducing Valve Replacement project to A.C. Miller Concrete Products, Inc., Blairsville, Pennsylvania, in the amount of \$62,653.32, and authorized the President of the County Commissioners to sign the necessary contract documents.

Item 10 – Sell Trash Compactors to Burgmeier's Hauling – Board of County Commissioners approved the sale of two trash compactors to Burgmeier's Hauling in the amount of \$34,609.16.

Item 11 – Allegany County Transit Fixed Route and Demand Response Software Contract Award – Board of County Commissioners approved the award for the Reservation, Scheduling, and Dispatch Software System for Allegany County Transit Fixed Route and Demand Response to Information Technologies Curves, Inc., Gaithersburg, Maryland, in the amount of \$150,094 contingent upon Maryland Transit Administration's approval.

Item 12 – Resolution 22-5 – Rules & Regulations Governing Employees of Allegany County, Maryland Amendments – Board of County Commissioners approved Resolution 22-5, the amendments to the Rules & Regulations Governing Employees of Allegany County, Maryland.

Item 13 – Region 1 Emergency Medical Services Advisory Council Appointments – Board of County Commissioners approved the appointment of Jeff Hobbs to the Region 1 Emergency Services Advisory Council. His term will expire on January 15, 2024.

Item 14 – Declaration of Surplus/Abandoned Vehicles – Board of County Commissioners declared the following vehicles as surplus/abandoned and sold by public auction: 2011 Honda Accord VIN# 1HGCS1B70BA001719; 2013 Chevy Malibu VIN# 1G11C5SA5DU119443; 2005 Roadmaster Enclosed Trailer VIN# 5DT211J2351053157; 2013 Ford Taurus VIN# 1FAHP2M84DG132370; 2004 Chevy Cavalier VIN# 1G1JC52F947254581; 2007 Dodge Caravan

VIN# 1D4GP45R6TB129516; 1996 Chevy Lumina VIN# 2G1WN52M2T9267443; 2002 Jeep Liberty VIN# 1J8GL48K12W293937; 2008 Saturn Vue VIN# 5GZCZ63434S818786; 2014 Nissan Juke VIN# JN8DF5MV4ET150724; 2018 Taotao Moped VIN# L9NTCBAD1J1010163; 2005 GMC Envoy VIN# 1GKDT13SX52299959; and a 1999 Pontiac Grand Am VIN# G2NE52E2XC584279.

Item 15 – Subordination and Standstill Agreement – FG Agency Lending, LLC and NorthBranch Properties – Board of County Commissioners authorized the President of the County Commissioners to execute Subordination and Standstill Agreement and other necessary closing documents with FG Agency Lending, LLC and NorthBranch Properties, allowing Northbranch Properties to obtain additional lending for business expansion.

Constituents – In order of sign-up sheet -

Ms. Vicki Brennaman thanked the County Commissioners for the opportunity to speak, and said that she was present to represent the Town of Westernport and the Library System. Ms. Brennaman voiced her concern with, and opposition to, the cutting of hours at the Westernport Library. She pointed out that her main concern was that the area’s children need access to the library. Mrs. Brennaman read letters from two other citizens, Jonathan Dayton and Carol Kenny, also opposed to the reduced hours at the Westernport Library. Commissioner Shade explained that funding has been cut to the libraries but that the Commissioners would try to find the extra money to keep the libraries open. Commissioner Caporale also added comments.

Ms. Brennaman thanked the Commissioners for anything they can do to help.

Mrs. Nancy Brant again spoke about property taxes in Allegany County and voiced her concerns regarding constant yield. It was again explained to her, by the Commissioners, County Administrator Bennett, and County Attorney Beeman, that the tax rate has not gone up. It was pointed out that in some cases, property assessments, which are done by the State of Maryland, have gone up.

County Administrator Jason Bennett read into the record a letter of support addressed to Daniel Tillman, Mayor of Keyser, regarding water treatment plant and system improvements. A copy of this letter as read by Mr. Bennett is attached to and made a part of these Minutes. The Commissioners then signed the letter.

Administrator Bennett also reminded the Commissioners that the second round of budget hearings was held today. He reported that virtually all budget requests are in at this point. Mr. Bennett added that with the Commissioners okay, another budget workshop would be held next Thursday, April 14, 2022.

County Attorney Lee Beeman had no further comments to add this evening.

Commissioners’ statements, comments, recognition -

County Commissioner David Caporale had no further comments to add this evening.

County Commissioner Creade Brodie had no further comments to add this evening.

Reminders/Upcoming Meetings

Next Public Business Meeting – Thursday, April 21, 2022, 5:00 p.m.

ADJOURNMENT:

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

Jacob C. Shade, President

True Copy
Attest:

Cynthia A. Young
Recording Secretary



ALLEGANY COUNTY DEPARTMENT OF PUBLIC WORKS

701 Kelly Road, Suite 300
Cumberland, MD 21502
301-777-5933 FAX 301-777-2001
<http://alleganygov.org>

Item 5

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

Daniel S. DeWitt, P.E.
County Engineer

STAFF REPORT

TO: Jason Bennett, County Administrator
FROM: Brynn Laird, P.E., Engineer III
CC: Adam Patterson, P.E., Director of Public Works *Adler*
Jinny Warn, Recycling Coordinator
DATE: April 1, 2022
RE: **Adoption of the Allegany County Solid Waste Management Plan 2021 - 2031**

For the Agenda of April 7, 2022, Public Meeting

1. BACKGROUND

The Allegany County Solid Waste Management Plan provides a system of resource recovery and solid waste disposal which will handle the County's current and anticipated future volume of solid waste as economically as possible while ensuring that public health, safety, and environmental quality are protected. The Plan follows the MDE requirements per Sections 9-503, 9-505, and 9-1703 of the Environment Article, Annotated Code of Maryland, and Code of Maryland Regulations (COMAR) 26.03.03.

The 2021 revision of the County's Solid Waste Management Plan was prepared by the Department of Public Works with input from the Solid Waste Management Board. The Board approved a final draft Plan, which is currently posted on the Recycling Office section of the County website. A public comment period was open from March 11 - 25, 2022. No comments were received. The Plan needs to be adopted by Allegany County and then submitted to the MDE.

2. ISSUES

N/A

3. FINANCIAL IMPACT

N/A

4. ALTERNATIVES

Do not adopt the Allegany County Solid Waste Management Plan 2021 - 2031.

5. OTHER CONSIDERATIONS

N/A

6. CONFORMITY TO COUNTY POLICY

Conforms to County policy.

7. RECOMMENDATION

Adopt the Allegany County Solid Waste Management Plan 2021 - 2031.



ALLEGANY COUNTY, MARYLAND

The Board of County Commissioners

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Cumberland, MD 21502
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Jacob C. Shade, *President*
Creade V. Brodie, Jr.
David J. Caporale

Jason M. Bennett, CPA, *County Administrator*
T. Lee Beeman, Jr., *County Attorney*

April 8, 2022

City of Keyser
Attention: Damon Tillman, Mayor
111 North Davis Street
Keyser, WV 26726

RE: Water Treatment Plant and System Improvements

Dear Mayor Tillman:

We write to you today in support of the City of Keyser's proposed Water Treatment Plant and System Improvements project and its submission for a congressional earmark request. We cannot overstate the importance of providing quality water treatment and distribution infrastructure to the City's current customers. In order for the City of Keyser to continue providing its customers with high quality potable water, the water treatment plant needs significant upgrades and/or replaced.

We are proud to fully support your efforts.

Sincerely,

The Board of County Commissioners

Jacob C. Shade, President

Creade V. Brodie, Jr., Commissioner

David J. Caporale, Commissioner