



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, May 11, 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 05:01 PM on 5/11/2023. 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

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. Citation, BSI honored with MEDA Award - **Gene Silverman (BSI) and Adam Strott (ACDECD)**

Berkeley Springs Instruments (BSI) was recently presented with the Small Community Economic Development Project award from the Maryland Economic Development Association (MEDA.) Representing a public/private partnership, Allegany County played a crucial role in developing, financing, and constructing a new headquarters for BSI as they sought to expand. The Allegany County Commissioners presented business owner, Gene Silverman, with an official citation to commemorate this award.

#### B. Citation, Allegany County Teacher of the Year - **Dr. Joseph Thompson, Ft. Hill High School**

Dr. Joe Thompson of Fort Hill High School has been named the 2023 Allegany County Teacher of the year. The Allegany County Commissioners presented him with a citation to honor this achievement. President Caporale also acknowledged our local teachers for Teacher Appreciation Week.

C. Allegany County Utility Rate Recommendation FY 24 - **Adam Patterson, Director of Public Works**

Director of Public Works, Adam Patterson, presented recommended utility rates recommended for FY 2024. Commissioners will be asked to take action at the next meeting, on May 25, 2023.

D. Allegany County Capital Improvement Program (CIP) FY 24-28 - **Daniel S. DeWitt, P.E., County Engineer**

County Engineer, Daniel DeWitt, presented the recommended outline for the Allegany County Capital Improvement Program for FY 24. Commissioners will be asked to take action at the next meeting, on May 25, 2023.

## 6. Public Hearing

A. Second Preliminary Budget Public Hearing - **Jason Bennett, County Administrator**

County Administrator, Jason Bennett, once again discussed the preliminary budget originally presented at the Public Business Meeting held on April 20, 2023. There was no public or Commissioner comment. Commissioners will be asked to take action on the final FY 24 Budget at the next meeting, on May 25, 2023.

## 7. Action Agenda

A. Appalachian Regional Commission (ARC) Federal FY 2024 Priorities- **David Nedved**

Allegany County department of Economic & Community Development employee, David Nedved, presented the prioritization list for the Appalachian Regional Commission (ARC) projects to be considered by Tri-County Council for Western Maryland as part of Maryland's Strategy Statement document for Federal Fiscal Year 2024. Motion to approve by William R. Atkinson, Seconded by Creade V. Brodie, Jr. Unanimous approval.

B. Lease of Cargo Van for Allegany County Animal Shelter - **Adam Patterson, Director of Public Works**

Approval of a 5 year lease on a van for the Allegany County Animal Shelter at \$1,000 a month. This vehicle lease was part of the previous agreement between the Shelter and Allegany County. Motion: to Approve By: Creade V. Brodie, Jr., Seconded: William R. Atkinson. Unanimous approval.

C. Job Position Requests for County Investigator - Digital Forensics & Evidence Analysis (1) and Body Cam Analyst (2), Including Rules & Regulations Governing Employees of Allegany County, Resolution 23-14 - **Kristi Liller, Director of HR & James Elliott, State's Attorney**

State's Attorney James Elliott and Head of Human Resources Kristi Liller requested additional positions be added to the State's Attorney's Office. Specifically, the positions are: (1) County Investigator - Digital Forensics & Evidence Analysis and (3) Body Cam Analysts. Requests for the positions to be added, and approval of the job descriptions we approved on a Motion: to Approve By: Creade V. Brodie, Jr., Seconded: William R. Atkinson. Unanimous approval.

D. Rocky Gap Slot Proceeds Allocation, Resolution 23-11 - **Jason Bennett, County Administrator**

County Administrator Jason Bennett, presented the Local Development Council's recommendations for spending the local impact grant from Rocky Gap Casino funds. Motion: to Approve By: William R. Atkinson, Seconded: Creade V. Brodie, Jr. Unanimous approval.

E. FY 23 Budget Amendments - **Jason Bennett, County Administrator**

County Administrator Jason Bennett requested approval of five budget amendments for FY 23 totaling \$26,961,697. Of this amount, \$20,000,000 is needed to recognize an increase in income tax revenues due to a large on-time increase in taxable lottery winnings, recognize \$1.1 million dollar increase in railroad/utility personal property taxes received, recognize \$193,552 in spending for vacation buy-back program, \$577,508 spending for increased election costs and \$5,090,637 of American Rescue Plan grant spending. Motion: to Approve By: Creade V. Brodie, Jr., Seconded: William R. Atkinson. Unanimous approval.

## 8. Consent Agenda

Motion: to Approve By: William R. Atkinson, Seconded: Creade V. Brodie, Jr.. Yes: Creade V. Brodie, Jr., William R. Atkinson, David J. Caporale.

**A. Local Development Council - Vacancies and Appointments**

Approval to reappoint Jason M. Bennett, Senator Michael W. McKay, Delegate Jason C. Buckel, Delegate Terry Baker, Allegany County Sheriff Craig A. Robertson, Brian Kurtz (Rocky Gap Casino Resort), Cory McCagh (1812 Brewery), Autumn Eirich, Steve Hout, Jenny Krampf, Dottie Ruby, and Sam Wilson. Approval to newly appoint Jonathan Dayton and Allen Shapiro.

**B. Mental Health Advisory Board - Appointment**

Approval to appoint Linda Warnier to the Mental Health Advisory Board.

**C. Travel Request - Sheriff's Department K-9 Training**

Approval for travel to Daytona Beach, Florida from May 7-June 17 for K-9 Training for Sgt. Christopher Hill. Cost not to exceed \$11,000.

**D. Sheriff's Office Surplus Vehicle Declaration**

Approval for vehicles considered surplus/seized and/or abandoned to be sold at auction.

**E. Cumberland Area FY 22-25 Transportation Improvement Program (TIP), Amendment 6 - Resolution 23-13**

Approval to amend the existing Project CAMPO 19-1, Mason Road and Mount Pleasant Road construction cost for FY2023 to \$2,000,000 per 100% Federal funding approved by IIJA in November 2022 for a total cost of \$2,350,000.

**F. Approval of FY23 Other Public "O.P." Road Paving Cost-Sharing Requests**

Approval to utilize funding from the 50-50 Other Public "O.P." Roads Cost-Sharing Program for the Ellerslie Citizens Committee. Project includes work on Red Oak Way, Hayman St, North Gardner Ave, Albright St, and Hummingbird St..

**G. Agreement with Maryland Environmental Service for Agricultural Scrap Tire Collection Event**

Approval of an Intergovernmental Agreement between Maryland Environmental Services and Allegany County to hold an Agricultural Tire Collection for FY 2023. It will allow Allegany County residents to dispose of agricultural tires free of charge. The agreement allows for up to \$78,000 for hauling and disposal with an additional reimbursement of \$2,500 for labor associated to be funded through MES.

**H. Annual CareFirst Performance Guarantees Document - Medical**

Approval of the annual CareFirst Performance Guarantees Document regarding Employee Medical Benefits for FY 2024.

**I. Employee Benefits Contract Renewal - Care First Dental Benefits**

Approval of the Contract Renewal for Employee Dental Benefits for FY 2024

**J. Employee Benefits Contract Renewal - VBA Vision Benefits**

Approval of the Contract Renewal for Employee Vision Benefits for FY 2024.

**K. Rules & Regulations Governing Employees of Allegany County - Resolution 23-12**

Approval of job description for the position of Director of Jane's Place, Inc.

**L. Community Promotions - Miss Maryland Scholarship Pageant 2023**

Approval of a \$300 donation to the Miss Maryland Scholarship Pageant being held in Hagerstown this June.

**M. Public Works Surplus Declaration - Dumpsters**

Approval to declare (4) dumpsters surplus and dispose of according to County policy.

**N. Route 36 (Landfill) Water Project, Phase 2 - Bid Award**

Award a bid for approximately 2,300' of existing failing 10" waterline that needs to be replaced. MDE recently provided the funding to replace the line. The engineer's estimate was \$463,575.00. The apparent low bidder, Carl Belt, Inc., Cumberland, MD, for the amount of \$471,655.00.

## **9. Public Comment**

Lynn Keiter - Lives on top of Dan's Mountain, on property that adjoins the landfill. The landfill has gotten quite tall, and the trash is blowing down from the landfill onto his land. The smell has also gotten worse, and he is looking for a course of action to address the issue. Adam Patterson, Director of Public Works, noted that he would reach out to MDE on behalf of Mr. Keiter.

## **10. Reports**

### A. County Administrator

No further comments.

### B. County Attorney

No further comments.

## **11. Commissioner Comments**

Commissioner Atkinson - No further comments.

Commissioner Brodie - recognized and thanked Mr. Keiter for attending the meeting to use the proper channel for his public comment, and thanked him for the work he does at the fair every year.

Commissioner Caporale - No further comments.

## **12. Reminders/Upcoming Meetings**

### A. NEXT MEETING - May 25, 2023, 5:00 PM

## **13. Adjournment**