

May 13, 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 following business was transacted:

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, seconded by Commissioner Caporale, and Motion carried, the Commissioners approved the Minutes of the April 22, 2021, public business meeting.

#### **PRESENTATION**

**Item 1 – Frostburg Lodge #470 BPOE 45<sup>rd</sup> Derby Day** – William J. DeVore, Exalted Ruler, Frostburg Lodge #470, BPOE (Frostburg Elks), introduced both himself and Todd Logsdon, Loyal Knight with the Frostburg Elks. Mr. DeVore commented that the Frostburg Elks supports the community through scholarships, veterans support, drug awareness programs, and other community programs, all completely managed by volunteers. Mr. DeVore provided some background and details regarding Derby Day, to be held in Frostburg on Saturday, July 3, 2021 (rain date July 5, 2021). He also thanked the Commissioners for their support of Derby Day. Commissioner Shade thanked Mr. DeVore and Mr. Logsdon.

**Item 2 – Five Year Capital Improvement Program (CIP) Budget Fiscal Year 2022 – 2026** – Daniel S. DeWitt, PE, County Engineer, presented background and details on the County's Five-Year Capital Improvement Program covering the upcoming five Fiscal Years beginning July 1, 2021. Mr. DeWitt explained that any capital project greater than \$25,000 in expected costs, with an anticipated life expectancy of greater than ten years, is included in the CIP. He pointed out that adoption of the CIP is an annual process, and that adoption of this new CIP is scheduled for two weeks from this evening.

Mr. DeWitt gave a power point presentation regarding the Five-Year CIP for Budget Fiscal Years 2022 – 2026, providing details as set forth on the full version of the CIP available online, which is attached to and made a copy of these Minutes by reference. The Commissioners all thanked Mr. DeWitt.

**Item 3 – Fiscal Year 2022 Allegany County Sanitary Commission Water and Sewer Rates Recommendations** – Adam Patterson, PE, Deputy Director of Public Works, presented the Allegany County Sanitary Commission Water and Sewer Rates Recommendations for FY2022, as set forth on the report attached to and made a part of these Minutes.

The Commissioners had no additional questions for Mr. Patterson at this time, and they all thanked him for his efforts.

#### **PUBLIC HEARING**

**Item 4 – Fiscal Year 2022 Second Preliminary Budget Public Hearing** – Jason M. Bennett, CPA, County Administrator.

Before starting, County Administrator Jason Bennett first thanked Adam Patterson and Dan DeWitt for all their work regarding the sanitary rates and the CIP. Mr. Bennett acknowledged the great amount of work and detail involved with both presentations and commented that both Mr. Patterson and Mr. DeWitt do a fine job. He added that action could be taken on both the sanitary rates and the CIP at the next Commissioners public business meeting, scheduled for Thursday, May 27, 2021.

Mr. Bennett then confirmed to the Commissioners that this evening was the second public hearing on the County's preliminary Fiscal Year 2022 budget. He reminded the Commissioners that a balanced budget of \$96,458,503 was presented at the previous public business meeting on April 22, 2021. Administrator Bennett explained that this evening's hearing is one last chance for public comment before the Commissioners take action on the budget at the May 27, 2021 meeting.

Mr. Bennett reported that no one signed up to speak at this public hearing, but that he did receive a letter from the Maryland Non-Profit Organization, asking that the Commissioners cooperate with the County's local non-profits. He remarked to the County Commissioners that they are already doing a good job of that.

Commissioner Shade opened the public hearing and asked if anyone had any public comment on the FY2022 budget. There were none, and the hearing closed.

### **ACTION AGENDA**

**Item 5 – Department of Economic & Community Development Appalachian Regional Commission (ARC) Federal Fiscal Year 2022 Priorities** – Board of County Commissioners to approve the transmittal of a recommended priority list of nine Area Development projects to Tri-County Council for Western Maryland for consideration for ARC funding in Federal Fiscal Year 2022 – David K. Nedved, Economic & Community Development Representative, presented the Allegany County ARC Projects Priority List for Fiscal Year 2022, a copy of which is attached to and made a part of these Minutes. He provided background and details for the Priority List, as set forth on the attached Project List and Mr. Nedved's staff report on the subject dated May 4, 2021. A copy of this Staff Report is also attached to and made a part of these Minutes. Mr. Nedved also read the list of projects on the Priority List.

At the conclusion of his presentation, Mr. Nedved asked the Commissioners for their approval for County Staff to send the ARC Projects Priority list for FY2022 to Tri-County Council for Western Maryland.

Upon Motion made by Commissioner Caporale, seconded by Commissioner Brodie, and duly carried, the Board of County Commissioners approved the transmittal of a recommended priority list of nine Area Development projects to Tri-County Council for Western Maryland for consideration for ARC funding in Federal Fiscal Year 2022.

**Item 6 – Resolution 21-9 – Maryland Mortgage Program** – Board of County Commissioners to authorize the transfer of \$2,732,536 to the Community Development Administration's Maryland Mortgage Program for issuance of tax-exempt housing bonds on behalf of Allegany County, and authorize the President of the County Commissioners to sign the Letter of Transfer – David K. Nedved, Economic & Community Development Representative, provided background and details on the Maryland Mortgage Program, as set forth on his staff report on the subject dated May 4, 2021, a copy of which is attached to and made a part of these Minutes.

Commissioner Brodie moved that the Board of County Commissioners approve and pass Resolution 21-9 – Maryland Mortgage Program. Commissioner Caporale seconded the Motion. Motion carried to pass Resolution 21-9 – Maryland Mortgage Program, to authorize the transfer of \$2,732,536 to the Community Development Administration's Maryland Mortgage Program for issuance of tax-exempt housing bonds on behalf of Allegany County, and authorize the President of the County Commissioners to sign the Letter of Transfer.

### **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 adopted the Consent Agenda as to Items 7 through 13, as recommended by the County Administrator.

**Item 7 – Resolution 21-10 – Fiscal Year 2022-2025 Cumberland Area Transportation Improvement Program** – Board of County Commissioners, acting as the Metropolitan Planning Organization, authorized and adopted Resolution 21-10, the Cumberland Area Fiscal Year 2022-2025 Amended Transportation Improvement Program, to include Bridge A-032 Watercliff Street over Hill Run Replacement Project, Bridge A-056 New Row Road over Dutch Hollow Run Replacement Project, and the Great Allegheny Passage Trail Improvements.

**Item 8 – Resolution 21-11 – Fiscal Year 2022 Cumberland Area Unified Planning Work Program** – Board of County Commissioners, acting as the Metropolitan Planning Organization, approved the adoption of Resolution 21-11 endorsing the Fiscal Year 2022 Unified Planning Work Program.

**Item 9 – Frostburg Lodge #470 BPOE 45<sup>th</sup> Derby Day** – Board of County Commissioners authorized the County Finance Office to remit \$1,000 budgeted from the Community Promotions Account for the Frostburg Elks Lodge #470 45<sup>th</sup> Derby Day scheduled for Saturday, July 3, 2021.

**Item 10 – Willowbrook Office Center Condominium Association** – Board of County Commissioners approved the appointment of Adam Patterson, PE, Deputy Director of Public Works, to the Willowbrook Office Center Condominium Association.

**Item 11 – Purchase of Special Operations Box Truck** – Board of County Commissioners authorized the Department of Emergency Services to purchase a 2022 Navistar HV507, in the amount of \$188,630.70, as allocated through the Fiscal Year 2021-2025 Capital Improvement Program.

**Item 12 – Declaration of Surplus Property** – Board of County Commissioners approved the declaration of an existing lot of steel beams (various dimensions/lengths) and steel bridge decking (various shapes/sizes) as surplus property and dispose of in accordance with county policy.

**Item 13 – Replacement of Bridge A-126 Material Contract Approval** – Board of County Commissioners approved the award of the material for Replacement of Bridge A-126 Welsh Hill Road over George’s Creek to Lane Enterprises, New Paris, Pennsylvania, in the amount of \$49,964.54, and authorized the President of the County Commissioners to sign any and all necessary contract agreements or documents.

**Item 14 – LaVale Sanitary Commission Board Appointment** – Board of County Commissioners approved the appointment of Rick McKenzie to fulfill a term vacancy on the LaVale Sanitary Commission. His term will expire on May 15, 2023.

Upon Motion made by Commissioner Caporale, seconded by Commissioner Shade, and Motion carried, the Board of County Commissioners adopted the Consent Agenda as to Item 14, as recommended by the County Administrator, by a vote of two to one, Commissioner Brodie having abstained from voting on this Item.

**Vote:**

Commissioner Caporale: Yes  
Commissioner Brodie: Abstain  
Commissioner Shade: Yes

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

**County Administrator Jason Bennett** had no further comments to make at this evening’s meeting.

**Commissioners’ statements, comments, recognition**

**Commissioner David Caporale** had no further comments to make at this evening’s meeting.

**Commissioner Creade Brodie** had no further comments to make at this evening’s meeting.

**Commissioner Jacob Shade** announced that another relief grant, approved at the previous Commissioners public business meeting, would begin tomorrow (May 14, 2021) at 9 a.m. He explained that this is the Allegany County Lodging and Accommodations Covid Relief Grant, funded through the Maryland Department of Commerce. He provided brief details about this program.

**Constituents** – In order of sign-up sheet –

**Mr. Kenneth Wilmont** voiced his ongoing concerns about the Animal Shelter. He also told the Commissioners that because of his health conditions, he would be unable to attend any future meetings of the County Commissioners.

**Reminders/Upcoming Meetings** –

**Next Public Business Meeting** – Thursday, May 27, 2021, 5:00 p.m.

**Announcement** – Allegany County Lodging and Accommodations COVID Relief Grant to Open (See News Release)

**ADJOURNMENT:**

There being no further business to come to the attention of the Board, the meeting was adjourned at 6:00 p.m.

\_\_\_\_\_  
Jacob C. Shade, President

True Copy  
Attest:

\_\_\_\_\_  
Cynthia A. Young  
Recording Secretary

Proposed Allegany County Utility Rates Fiscal Year 2022

County Commissioner Meeting May 13, 2021

1. Based on estimated costs for next fiscal year (FY 22), the County Utilities Division budget was in a deficit of \$325,000.
2. Proposed rate increase was discussed with the Allegany County Sanitary Commission on April 20 and May 5, 2021. The Sanitary Commission approved the rates that are presented this evening at their May 5<sup>th</sup> meeting.
3. The water budget makes money to offset the losses on the sanitary side.
4. Our utility rates are affected by increased costs for operating the system. These costs consist of:
  - a. aged infrastructure (typically debt service payments to cover improvements)
  - b. utility costs
  - c. man-power
  - d. water loss
  - e. extended period of wet weather (treatment)
5. County purchases water from Frostburg, Cumberland, Keyser, and Westernport.
6. Nearly half of all County sewer customers are treated by Cumberland WWTP.

ALLEGANY COUNTY WATER & SEWER INFORMATION				FY 21 Annual Customer Cost		FY 22 Annual Customer Cost		FY 22 Annual Customer Increase	
District	Service Areas	Water		Water		Water		Water	
		Total	Total	Total	Total	Total	Total	Total	Notes/Justification
Bedford Road	Bedford Road	\$	721.00	\$	793.00	\$	72.00		Increase for debt service
Borden/Mt. Savage	Borden/Zihlman	\$	628.50	\$	689.00	\$	60.50		Frostburg usage and capital increase
Bowling Green	Bowling Green	\$	614.50	\$	646.50	\$	32.00		Increase for County O & M
Bedford Road	Bowman's Addition	\$	662.50	\$	721.00	\$	58.50		Increase water usage rate
Georges Creek	Carlos, Klondike, Shaft	\$	628.50	\$	689.00	\$	60.50		Frostburg usage and capital increase
Jennings Run	Cash Valley	\$	614.50	\$	646.50	\$	32.00		Increase for County O & M
Braddock Run	Consol	\$	628.50	\$	689.00	\$	60.50		Frostburg usage and capital increase
Cresaptown	Cresaptown	\$	503.82	\$	563.38	\$	59.56		Increase for debt service & County O & M
Braddock Run	Clarysville	\$	639.30	\$	703.40	\$	64.10		Frostburg usage and capital increase
Braddock Run	Eckhart	\$	595.30	\$	659.40	\$	64.10		Frostburg usage and capital increase
Jennings Run	Corriganville, Ellerslie	\$	614.50	\$	646.50	\$	32.00		Increase for County O & M
Franklin	Franklin	\$	772.50	\$	788.50	\$	16.00		Increase for County O & M
Braddock Run	Grahamtown	\$	628.50	\$	689.00	\$	60.50		Frostburg usage and capital increase
Route 36	Hoffman	\$	628.50	\$	689.00	\$	60.50		Frostburg usage and capital increase
McCoole	McCoole	\$	562.50	\$	594.50	\$	32.00		Increase for County O & M
Mexico Farms	Mexico Farms	\$	614.50	\$	673.00	\$	58.50		Increase water usage rate
Jennings Run	Mount Savage	\$	628.50	\$	689.00	\$	60.50		Frostburg usage and capital increase
Oldtown Road	Oldtown Road	\$	638.50	\$	662.50	\$	24.00		Increase for County O & M
Rawlings	Rawlings	\$	662.50	\$	678.50	\$	16.00		Increase for County O & M
Route 36	Route 36	\$	628.50	\$	689.00	\$	60.50		Frostburg usage and capital increase

ALLEGANY COUNTY WATER & SEWER INFORMATION		FY 21 Annual Customer Cost		FY 22 Annual Customer Cost		FY 22 Annual Customer Increase	
District	Service Areas	Sewer Total	Sewer Total	Sewer Total	Sewer Total	Notes/Justification	Sewer
Bedford Road	Bedford Road	\$ 484.00	\$ 532.00	\$ 48.00	Increase for County O & M		
Biers Lane	Biers Lane	\$ 413.00	\$ 469.00	\$ 56.00	Increase for County O & M		
Bowling Green	Bowling Green	\$ 726.88	\$ 722.00	\$ (4.88)	Change to flat fee for County O & M		
Bedford Road	Bowman's Addition	\$ 484.00	\$ 532.00	\$ 48.00	Increase for County O & M		
Georges Creek	Carlos, Klondike, Shaft	\$ 682.00	\$ 722.00	\$ 40.00	Increase for County O & M		
Jennings Run	Cash Valley	\$ 610.00	\$ 660.00	\$ 50.00	Increase for debt service & County O & M		
Braddock Run	Consol	\$ 450.00	\$ 512.00	\$ 62.00	Increase for debt service & County O & M		
Cresaptown	Cresaptown	\$ 626.00	\$ 666.00	\$ 40.00	Increase for County O & M		
Braddock Run	Clarysville	\$ 450.00	\$ 512.00	\$ 62.00	Increase for debt service & County O & M		
Braddock Run	Eckhart	\$ 450.00	\$ 512.00	\$ 62.00	Increase for debt service & County O & M		
Jennings Run	Corriganville, Ellerslie	\$ 514.03	\$ 564.03	\$ 50.00	Increase for debt service & County O & M		
Flintstone	Flintstone	\$ 400.00	\$ 456.00	\$ 56.00	Increase for County O & M		
Franklin	Franklin	\$ 403.00	\$ 459.00	\$ 56.00	Increase for County O & M		
Georges Creek	Georges Creek	\$ 682.00	\$ 722.00	\$ 40.00	Increase for County O & M		
Braddock Run	Grahamtown	\$ 450.00	\$ 512.00	\$ 62.00	Increase for debt service & County O & M		
McCoole	McCoole	\$ 415.00	\$ 471.00	\$ 56.00	Increase for County O & M		
Mexico Farms	Mexico Farms	\$ 435.00	\$ 483.00	\$ 48.00	Increase for debt service & County O & M		
Jennings Run	Mount Savage	\$ 514.03	\$ 564.03	\$ 50.00	Increase for debt service & County O & M		
Oldtown	Oldtown	\$ 417.00	\$ 473.00	\$ 56.00	Increase for County O & M		
Oldtown Road	Oldtown Road	\$ 514.00	\$ 562.00	\$ 48.00	Increase for County O & M		

1. Consideration: median household income is \$45,000. Funding agencies consider a 2% cost for each utility a reasonable rate. Based on 2% of \$45,000, our rates would be \$900 each.
2. Our utility rates are impacting loan closings with MDE because of the shortfall on the sanitary side.
3. Average bill for County customers: \$680 (water) and \$555 (sewer)
4. Allegany County customers have comparable rates to municipalities and private companies within the County.
5. The overall increase is approximately 9% annually.
6. Current commercial sewer rates are \$3.77 per thousand in Mexico Farms District and \$3.26 per thousand in all other Districts. Proposed increase for Mexico Farms would result in \$4.75 per thousand. Proposed rate for all other Districts would be \$4.00. For comparison purposes, an annual residential bill at \$4.75 per thousand would be estimated at \$238 (50,000-gallon water usage) versus our average proposed residential bill of \$550.



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: David K. Nedved, <sup>*DKN*</sup> Economic and Community Development Representative  
DATE: May 4, 2021  
RE: Acceptance of Priorities for ARC Funding of FY-22 Projects

For the Agenda of: May 13, 2021

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**Background:** Staff has completed its prioritization process for 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 2021. There are nine Area Development projects being proposed.

**Issues:** See attached list.

**Financial Impact:** Area Development projects require a 50 percent match.

**Alternatives:** The Commissioners can change priorities from the staff's recommendations.

**Other Considerations:** None.

**Conformity to County Policy:** This supports the County's overall economic development strategy.

**Recommendation:** That the Board approve the transmittal of a recommended priority list of nine Area Development projects to Tri-County Council for Western Maryland for consideration for Appalachian Regional Commission funding in Federal Fiscal Year 2022.

DKN:kam

cc: Jeffrey S. Barclay, Director, Economic and Community Development  
Pamela S Diaz, Assistant Director, Finance



# Allegany County Proposed Priorities For ARC Projects for FY 2022

## Area Development

<u>Rank</u>	<u>Applicant</u>	<u>Project Name</u>	<u>Amount</u>
1	Allegany County Board of Education	Transportation For CTE Students To Makerspace	\$25,000
2	Robotics and Engineering in Allegany	Technology For Fabrication Lab and Renovation	\$170,000
3	Allegany College of Maryland	STEAM Education Equipment (Allied Health)	\$67,500
4	Allegany County Board of Education	Diesel and Electric Vehicles For Automotive Technology Students	\$75,000
5	City of Cumberland	Fiber Broadband For Baltimore Street Project	\$125,000
6	UPMC Western Maryland	Patient Simulators	\$114,075
7	Frostburg State University	Multi-year Scholarship, Service and Community Development	\$65,000
8	Humpty Dumpty	Playground Equipment	\$50,000
9	Allegany College of Maryland	Workforce Training Theatre Enhancement	\$250,000
		<b>Total</b>	<b>\$941,575</b>



ALLEGANY COUNTY  
DEPARTMENT OF ECONOMIC  
& COMMUNITY DEVELOPMENT

*Item 6*

701 Kelly Road, Suite 400 • Cumberland, Maryland 21502

STAFF REPORT

TO: Jason M. Bennett, County Administrator  
FROM: <sup>DM</sup> David K. Nedved, Economic Development Representative  
DATE: May 4, 2020  
RE: Maryland Mortgage Program

For the Agenda of: May 13, 2021

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**Background:** The Maryland Community Development Administration (CDA) provides financing for the Maryland Mortgage Program to each county through the sale of tax-exempt bonds. This program provides below-rate mortgages for homeownership to the residents of Allegany County. All of Allegany County is considered a targeted area, which means one does not have to be a first-time homebuyer to participate in this program. The 2020 sub-allocation for Allegany County is \$2,732,536. The Maryland Mortgage Program offers a variety of programs. See the attached document for more information or visit the web site at <http://mmp.maryland.gov>. Since Allegany County is a targeted area, current income limits to qualify are \$125,400 for one or two persons in the household with an increase to \$146,350 for a family of three or more. The maximum acquisition cost is \$360,067 for Existing or Newly Constructed Homes.

The program is accessed through various mortgage lenders throughout the State of Maryland but in Allegany County the participating lenders are BB&T Corporation and First United Bank & Trust. The contact for the program at BB&T Corporation is Toni Davis-Spivey. Her phone is 410-265-3699 and her e-mail is [tdavis-spivey@truist.com](mailto:tdavis-spivey@truist.com). The contact for the program at First United Bank & Trust is Travis Bohrer. His phone is 301-722-2899 and his e-mail is [tbohrer@mybank.com](mailto:tbohrer@mybank.com).

**Issues:** The deadline for CDA's receipt of the 2020 Bond Allocation Transfer Letter is June 30, 2021.

**Financial Impact:** N/A

**Alternatives:** N/A

**Other Considerations:** N/A

**Conformity to County Policy:** Allegany County has been approving the transfer of funds to the Community Development Administration's Maryland Mortgage Program for issuance of tax-exempt housing bonds for over eleven years.

**Recommendation:** Recommend that the Board of County Commissioners authorize transfer of \$2,732,536 to the Community Development Administration's Maryland Mortgage Program for issuance of tax-exempt housing bonds on behalf of Allegany County and authorize the President to sign the Letter of Transfer.

cc: Jeffrey S. Barclay, Director – Economic/Community Development  
Pamela S. Diaz, Assistant Director – Finance  
T. Lee Beeman, Jr., County Attorney