



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 25, 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

The Pledge of Allegiance was recited by those in attendance.

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 5/25/2023. Present: County Commissioner Creade V. Brodie, Jr., County Commissioner William R. Atkinson, County Commission President David J. Caporale, 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, Rocky Gap Casino 10 Year Anniversary - Brian Kurtz

The Allegany County Commissioners presented Rocky Gap Casino Resort and General manager/Senior Vice President Brian Kurtz with a Citation to congratulate them on their 10-year anniversary.

6. Public Hearing

7. Action Agenda

A. FY24 Budget Message- David Caporale, Commission President

County Attorney Lee Beeman read the annual Budget Message for Fiscal Year 2024. A copy of the Budget Message will be available online on the County's website as part of the meeting packet.

B. Fiscal Year 2024 Operating and Capital Budget, Resolution 23-18- Jason Bennett, County Administrator

County Attorney T. Lee Beeman explained that Resolution 23-18 is to be passed to adopt the Fiscal Year 2024 Operating and Capital Budget in the amount of \$152,465,411. A copy of Resolution 23-18, in which the FY 2024 Operating and Capital Budget is set forth, is available on the County website as part of the meeting packet.

Motion: Approve

By: Creade V. Brodie, Jr.

Seconded: William R. Atkinson

Yes: Creade V. Brodie, Jr., Creade V. Brodie, Jr., William R. Atkinson, William R. Atkinson, David J. Caporale, David J. Caporale

No: None

Abstain: None

C. Adopt the Tax Levy & Differential- Jason Bennett, County Administrator

County Attorney T. Lee Beeman asked for a Motion to approve and adopt the Tax Levy & Differential. A copy of the Tax Levy & Differential as presented to the County Commissioners at this meeting is available on the County website as part of the meeting packet.

Motion: Approve

By: William R. Atkinson

Seconded: Creade V. Brodie, Jr.

Yes: Creade V. Brodie, Jr., William R. Atkinson, David J. Caporale

No: None

Abstain: None

D. Adopt the Supplemental Levy for Special Taxing Areas- Jason Bennett, County Administrator

County Attorney T. Lee Beeman asked for a Motion to approve and adopt the Supplemental Levy for Special Taxing Areas. A copy of the Supplemental Levy for Special Taxing Areas as presented to the County Commissioners at this meeting is available on the County website as part of the meeting packet.

Motion: Approve

By: Creade V. Brodie, Jr.

Seconded: William R. Atkinson

Yes: Creade V. Brodie, Jr., William R. Atkinson, David J. Caporale

No: None

Abstain: None

E. Authorize the Director of Finance to Publish- Jason Bennett, County Administrator

Motion Authorizing the Director of Finance to have the necessary Levy Documents published in the local newspaper and printed in the customary pamphlet form.

Motion: Approve

By: William R. Atkinson

Seconded: Creade V. Brodie, Jr.

Yes: David J. Caporale, Creade V. Brodie, Jr., William R. Atkinson, David J. Caporale

No: None

Abstain: None

F. Allegany County Utility Rate Recommendation FY 2024- Brynn Laird, Public Works Engineer III

The Allegany County Public Works Utilities Division met with the Allegany County Sanitary Commission on April 4th to discuss the FY 2024 rates for the Allegany County water and sanitary districts. The Sanitary Commission approved the recommended rates at this meeting. The recommended rate information was presented publicly at the County Commissioners Business meeting on Thursday, May 11, 2023. Brynn Laird, Public Works Engineer III, requested a motion to adopt the proposed utility rates.

Motion: Approve

By: Creade V. Brodie, Jr.

Seconded: William R. Atkinson

Yes: Creade V. Brodie, Jr., William R. Atkinson, David J. Caporale

No: None

Abstain: None

G. Allegany County Capital Improvement Program (CIP) FY24-28- Daniel DeWitt, County Engineer

The Allegany County FY2024-2028 Capital Improvement Program (CIP) was presented to the Allegany County Commissioners at the Public Business Meeting on May 11, 2023. CIP Committee Recommendations for FY2024 funding requests were presented by Daniel S. DeWitt, P.E., County Engineer/CIP Engineer. No requests have been received for changes/revisions to the CIP. The FY2024-2028 CIP is now ready for approval by the County Commissioners.

Motion: Approve

By: William R. Atkinson

Seconded: Creade V. Brodie, Jr.

Yes: Creade V. Brodie, Jr., William R. Atkinson, David J. Caporale

No: None

Abstain: None

H. Scattered Sites Program Completion/Withdrawal - David Nedved, Economic & Community Development Representative

1. That the Board of County Commissioners approve the President signing the Workout Agreement and having it witnessed.

2. That the Board of County Commissioners approve sending the Tenant Notice to the tenants living in the two houses that remain from the Scattered Sites Program. The monthly rents are currently \$400 and \$425. With the Tenant Notice, DHCD is requiring Allegany County to provide the existing tenants with three year lease extensions at their current rents. In addition, the Tenant Notice says in the event the tenant chooses to vacate within three years from the date of the Notice, Allegany County will deliver a payment equivalent to three month's rent in order to assist with their relocation. This results in an obligation to Allegany County of \$2,475. The Project Reserves for the Program has about \$25,000, and future rents will be paid into the Project Reserves. Therefore, the obligation should be easily met.

3. That the Board of County Commissioners approve paying \$75,065.91 to DHCD to pay Allegany County's remaining balance for a Partnership Rental Housing Program loan from DHCD. This loan provided most of the funding for the Scattered Sites Program in Allegany County. DHCD is asking that this payment be made by June 18. In return, Allegany County will acquire full ownership of the two houses that remain in the program.

Motion: Approve

By: William R. Atkinson

Seconded: Creade V. Brodie, Jr.

Yes: Creade V. Brodie, Jr., William R. Atkinson, David J. Caporale

No: None

Abstain: None

I. Maryland Mortgage Program, FY23 Housing Bond Allocation, Resolution 23-16 - David Nedved, Economic & Community Development Representative

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 2023 sub-allocation for Allegany County is \$2,843,694.

Recommend that the Board of County Commissioners authorize transfer of \$2,843,694 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.

Motion: Approve

By: Creade V. Brodie, Jr.

Seconded: William R. Atkinson

Yes: Creade V. Brodie, Jr., William R. Atkinson, David J. Caporale

No: None

Abstain: None

J. Allegany County Police Accountability Board & Allegany County Administrative Charging Committee, Amendment, Resolution 23-15 - **T. Lee Beeman, County Attorney**

A Resolution amending the Allegany County Police Accountability Board & Allegany County Administrative Charging Committee to provide compensation for members to complete required training and reimbursement for expenses necessary to attend trainings.

Motion: Approve

By: William R. Atkinson

Seconded: Creade V. Brodie, Jr.

Yes: Creade V. Brodie, Jr., William R. Atkinson, David J. Caporale

No: None

Abstain: None

8. Consent Agenda

Consent Agenda Item 8.A. Motion to approve by: William R. Atkinson. Seconded: David J. Caporale. Vote Yes: William R. Atkinson, David J. Caporale. No: Creade V. Brodie, Jr.

Consent Agenda Items 8.B-E. Motion to approve by: Creade V. Brodie, Jr . Seconded: William R. Atkinson . Vote Yes: William R. Atkinson, David J. Caporale, Creade V. Brodie, Jr.

Consent Agenda Items 8.F-G. Motion to approve by: Creade V. Brodie, Jr . Seconded: William R. Atkinson . Vote Yes: William R. Atkinson, David J. Caporale, Creade V. Brodie, Jr.

A. Maryland DNR requesting approval for the acquisition of Navarre Minerals, adjacent to Wills Mountain State Park

Maryland Department of Natural Resources has requested approval from the Commissioners to acquire the Navarre Minerals property (103.7 acres of land) adjacent to Wills Mountain State Park.

B. Satellite Fail-Over System Purchase Order - Department of Emergency Services

In April 2023, the Maryland 9-1-1 Board approved Allegany County's request for funding for a Satellite Fail-Over Phone System for both the Primary and the Back-Up Center. This will allow the 911 Center to remain operational should the phone system be compromised.

C. Rules & Regulations Governing Employees of Allegany County, GIS Technician Job Description - Resolution 23-17

Approval of Job descriptions for the positions of GIS Technician with the Allegany County Department of Planning & Zoning at a Grade 106 on the Grade Allocation Table.

D. Rules & Regulations Governing Employees of Allegany County, Social Media Policy - Resolution 23-19

Allegany County Government has an important interest in assuring the accuracy and consistency of information associated with our social media sites. We also respect the First Amendment to the U.S. Constitution and the constitutional right to freedom of speech. These terms and conditions establish guidelines for the public's use of social media that balance these values. This policy outlines what types of interactions are permitted on these public channels, per the First Amendment.

E. Community Promotions, REACT - Robotics and Engineering in Allegany County - Together, Inc.

REACT - Robotics and Engineering in Allegany County - Together, Inc. is a non-profit organization working to improve science, technology, engineering, and math (STEM) educational opportunities for all Allegany County youth, and to realize their vision to foster a community ready for a high-tech future by engaging our youth in science and technology. Requesting a donation from the Community Promotions account in the amount of \$1,000.

F. MOU with the City of Cumberland Regarding C3i Clerical Position

A Memorandum of Understanding for cost sharing on a C3i Clerical position with the City of Cumberland.

G. MOU with the City of Cumberland, City of Frostburg, and Frostburg State University Regarding Funding for a C3i Clerical Position

Memorandum of Understanding between Allegany County, Cumberland, Frostburg and Frostburg State on the cost sharing of a C3i Clerical Position.

9. Public Comment

Sue Dudley - Came to speak in opposition and concern regarding the potential windmill project on Dan's Mountain. Requesting a meeting with the Planning and Zoning board, and issuing a plea to the Commissioners to try and stop the installation of these windmills.

10. Reports

A. County Administrator

B. County Attorney

11. Commissioner Comments

Commissioner Caporale welcomed our friends and family back from another successful DelFest.

The County Commissioners presented long-time County Clerk, Linda Simpson, with a citation in honor of her retirement. All three Commissioners, County Attorney Lee Beeman, and past County Commission President Jake Shade, spoke on their appreciation and thanks of Mrs. Simpson.

12. Reminders/Upcoming Meetings

A. NEXT MEETING - Thursday, June 8, 2023, 5:00 PM

13. Adjournment