

May 27, 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 David J. Caporale; County Administrator Jason M. Bennett; and County Attorney T. Lee Beeman, Jr. Commissioner Creade V. Brodie, Jr., was not present at this meeting. The following business was transacted:

The Pledge of Allegiance was led by David Nedved.

MOTION

There were no additions or deletions to the agenda.

MOTION

Upon Motion by Commissioner Caporale, seconded by Commissioner Shade, and Motion carried, the Commissioners approved the Minutes of the May 13, 2021, public business meeting.

ACTION AGENDA

SETTING THE LEVY – Budget Actions for Fiscal Year 2022

Item 1 – Budget Message – The Board of County Commissioners' Budget Message – President Jacob C. Shade read into the record the Fiscal Year 2022 Budget Message, a copy of which is attached to and made a part of these Minutes.

Commissioner Shade thanked Mr. Bennett, Pam Diaz, Assistant Director of Finance, and County staff from the County's Finance Department and Tax & Utility Office for their work on the budget. He commented that the County takes efforts to live within its means.

Commissioner Shade reported that since May 2020, the County has done 662 grants to small businesses, for a total of \$3,502,158, and has another \$353,000 for lodging, non-profit recovery, and telework assistance that will go out before June 30, 2021. He acknowledged the assistance with these grants provided by Ashli Workman, the County's Director of Tourism.

Item 2 – Resolution 21-12 – Board of County Commissioners to enact Resolution 21-12 adopting the Fiscal Year 2022 Operating and Capital Budget in the amount of \$136,648,550 – Jason M. Bennett, CPA, County Administrator, briefly reviewed the Fiscal Year 2022 Operating and Capital Budget as presented at a previous Commissioners Public Meeting, and pointed out highlights of the budget, as set forth on Resolution 21-12, a copy of which is attached to and made a part of these Minutes. A copy of the full Budget is posted on the County's website and is also attached to and made a part of these Minutes, by reference.

Upon Motion by Commissioner Caporale, seconded by Commissioner Shade, and duly carried, the Board of County Commissioners approved and passed Resolution 21-12 adopting the Fiscal Year 2022 Operating and Capital Budget in the amount of \$136,648,550.

Item 3 – Motion to Adopt the Tax Levy & Differential – Board of County Commissioners to adopt the Tax Levy & Differential and authorize the Collector of Public Assessments of Allegany County to demand and receive from the taxables the sums indicated therein – Jason M. Bennett, CPA, County Administrator, provided background and information on this item, as set forth on the Tax Levy and Differential, a copy of which is attached to and made a part of these Minutes. Mr. Bennett pointed out that there is no tax increase included.

Upon Motion by Commissioner Caporale, seconded by Commissioner Shade, and duly carried, the Board of County Commissioners adopted the Tax Levy & Differential and authorized the Collector of Public Assessments of Allegany County to demand and receive from the taxables the sums indicated therein.

Item 4 – Motion to Adopt the Supplemental Levy for Special Taxing Areas – Board of County Commissioners to adopt the Supplemental Levy for Special Taxing Areas and authorize the Collector of Public Assessments to demand and receive from the taxpayers of the enumerated Special Taxing Areas those rates as listed as part of the Levy – Jason M. Bennett, CPA, County Administrator. A copy of the Supplemental Levy for Special Taxing Areas is attached to and made a part of these Minutes.

Commissioner Caporale moved that the Board of County Commissioners adopt the Supplemental Levy for Special Taxing Areas and authorize the Collector of Public Assessments to demand and receive from the taxpayers of the enumerated Special Taxing Areas those rates as listed as part of the Levy. Commissioner Shade seconded the Motion. Motion carried to adopt and authorize.

Item 5 – Motion Authorizing the Director of Finance to have the necessary Levy Documents published in the local newspaper and printed in the customary pamphlet form – Jason M. Bennett, CPA, County Administrator, explained that this is a request for the Commissioners to authorize publication of the budget.

Upon Motion made by Commissioner Shade, seconded by Commissioner Caporale, and duly carried, the Board of County Commissioners authorized the Director of Finance to have the necessary Levy Documents published in the local newspaper and printed in the customary pamphlet form.

Item 6 – Fiscal Year 2022 Allegany County Sanitary Commission Recommendations – Board of County Commissioners to approve the water and sewer rates recommended by the Allegany County Sanitary Commission for Fiscal Year 2022, and adopt the rates as part of the Allegany County Fiscal Year 2022 Budget – Adam Patterson, PE, Deputy Director of Public Works, reminded the Commissioners that they were presented with the recommended water and sewer rates for Fiscal Year 2022 at the May 13, 2021 public business meeting. Mr. Patterson explained that he was present at this evening’s meeting to answer any questions the Commissioners may have and to go over some high points of the recommendations, as set forth on his Staff Report on the subject dated May 21, 2021, a copy of which is attached to and made a part of these Minutes.

Upon Motion made by Commissioner Caporale, and seconded by Commissioner Shade, the Board of County Commissioners approved the water and sewer rates recommended by the Allegany County Sanitary Commission for Fiscal Year 2022, and adopted the rates as part of the Allegany County Fiscal Year 2022 Budget.

Item 7 – Motion to Approve and Adopt the Capital Improvement Program for Fiscal Years 2022 – 2026 – Board of County Commissioners to approve and adopt the five-year Fiscal Year 2022-2026 Capital Improvement Program as presented at the May 13, 2021 public meeting – Daniel S. DeWitt, PE, County Engineer, explained that he was present to ask the Commissioners to approve and adopt the five-year Fiscal Year 2022-2026 Capital Improvement Program as it was presented at the previous public business meeting.

Upon Motion made by Commissioner Caporale, seconded by Commissioner Shade, and duly carried, the Board of County Commissioners approved and adopted the five-year Fiscal Year 2022-2026 Capital Improvement Program as presented at the May 13, 2021 public meeting.

Item 8 – HB 880 – Allegany County – Alcoholic Beverages Licenses – Annual Fees – Board of County Commissioners to fund the Board of License Commissioners for Allegany County reimbursements and waiver of certain license fees to holders of certain alcoholic beverages licenses pursuant to Maryland General Assembly HB 880 – S. Ramani Pillai, Attorney, Board of License Commissioners, said that he was present at this evening’s meeting to ask the County to fund the reimbursements as created by House Bill 880, a copy of which is attached to and made a part of these Minutes. He discussed the background and contents of the Bill.

Commissioner Shade expressed his thanks to the Western Maryland Delegation for House Bill 880, because the County’s restaurants and bars were among those businesses hardest hit by the pandemic. He added that information and checks will go out to the appropriate businesses. Jason Bennett, County Administrator, confirmed that checks will go out and that information will be obtained from the Liquor Board to determine where those checks need to go.

Commissioner Shade moved that the Board of County Commissioners fund the Board of License Commissioners for Allegany County reimbursements and waiver of certain license fees to holders of certain alcoholic beverages licenses pursuant to Maryland General Assembly HB 880. Commissioner Caporale seconded the Motion. Motion carried to approve.

Item 9 – Nonprofits Local Government Program Grant Agreement – Board of County Commissioners to authorize the President of the Commissioners to sign a Nonprofits Local Government Program Grant Agreement for the Nonprofit Recovery Initiative funding accepting an award of \$232,947 for Allegany County along with any additional documents that may be required in the future. Also, authorize the Allegany County Department of Economic and Community Development to rank applications based on the impact on Allegany County and award funds to applicants accordingly – David K. Nedved, Economic & Community Development Representative, presented background and details for this Item, as set forth on his Staff Report on the subject dated May 20, 2021, a copy of which is attached to and made a part of these Minutes.

Upon Motion by Commissioner Caporale, seconded by Commissioner Shade, and duly carried, the Board of County Commissioners authorized the President of the Commissioners to sign a Nonprofits Local Government Program Grant Agreement for the Nonprofit Recovery Initiative funding accepting an award of \$232,947 for Allegany County along with any additional documents

that may be required in the future. Also, authorized the Allegany County Department of Economic and Community Development to rank applications based on the impact on Allegany County and award funds to applicants accordingly.

Item 10 – Allegany County Board of Education Fiscal Year 2021 Year End Budget Amendments – Board of County Commissioners to authorize the Allegany County Board of Education to make the following budget amendments to the Fiscal Year 2021 Budget as a result of COVID: \$400,000 transferred to Food Services, \$250,000 transferred to Operations, \$350,000 transferred to Maintenance, \$500,000 transferred to Retiree Insurance Fund, and \$500,000 transferred to Capital Outlay and School Construction – Lawrence S. McKenzie, CPA, Chief Financial Officer, asked the Commissioners for their consideration of a budget amendment which was already unanimously approved by the Board of Education and now requires the approval of the Board of County Commissioners. He explained that this amendment does not change the overall budget, but just redistributes funds in some budget categories. Mr. McKenzie further explained that some things budgeted for this year were not able to happen because of Covid-19, such as Outdoor School and some professional development, and the Board of Education wishes to repurpose those funds for some expenditures.

Upon Motion made by Commissioner Caporale, seconded by Commissioner Shade, and duly carried, the Board of County Commissioners authorized the Allegany County Board of Education to make the following budget amendments to the Fiscal Year 2021 Budget as a result of COVID: \$400,000 transferred to Food Services, \$250,000 transferred to Operations, \$350,000 transferred to Maintenance, \$500,000 transferred to Retiree Insurance Fund, and \$500,000 transferred to Capital Outlay and School Construction.

The Commissioners thanked Mr. McKenzie, and Administrator Bennett told Mr. McKenzie before he left that maintenance of effort is going up due to the Kirwan Commission.

CONSENT AGENDA

As recommended by the County Administrator

Upon Motion by Commissioner Caporale, seconded by Commissioner Shade, and Motion carried, the Board of County Commissioners adopted the Consent Agenda as recommended by the County Administrator.

Item 11 – Scattered Site Housing Cooperation Agreement – Board of County Commissioners approved a revised Cooperation Agreement between the Housing Authority of the City of Cumberland and the Allegany County Commissioners to provide aid and cooperation for low-rent housing projects developed and to be developed and operated by the Local Authority.

Item 12 – Hartford Workers’ Compensation Insurance Fiscal Year 2022 Contract Renewal – Board of County Commissioners adopted the Hartford Workers’ Compensation Insurance Contract Renewal for Fiscal Year 2022, and authorized the President of the County Commissioners to sign the contract.

Item 13 – CareFirst BlueCross BlueShield Medical Insurance Plan Renewal – Board of County Commissioners approved the renewal of the CareFirst BlueCross BlueShield medical insurance plan for Allegany County Government employees and retirees for the period of July 1, 2021 to June 30, 2022, and authorized the County Administrator to sign.

Item 14 – Solid Waste Management Board Appointments – Board of County Commissioners authorized the appointment of Dusty Hilbert to the Solid Waste Management Board representing the Waste Industry, and re-appointed Paul High to serve as the alternate for the same position. Their terms will expire January 31, 2023.

Item 15 – Solid Waste Management Board Bylaws Amendment – Board of County Commissioners approved and ratified the amended Solid Waste Management Board Bylaws to remove mention of Treasurer, change Sunshine Laws to Open Meeting Act and Transfer Station to the title of the Landfill Committee.

Item 16 – Allegany County Sanitary Commission – Board of County Commissioners authorized the appointment of Pat Helmstetter, Cumberland, Maryland, to the Allegany County Sanitary Commission. His term will expire June 1, 2027.

Item 17 – North Branch Industrial Park Water System Pressure Reducing Vault – Board of County Commissioners approved the replacement of the pressure reducing vault for the North Branch Industrial Park water system and awarded the contract to W.C. Weil Company, Allison Park, Pennsylvania, in the amount of \$62,501.

Item 18 – Route 36 Water Line Replacement Emergency Community Water Assistance Grant
– Board of County Commissioners authorized the Department of Public Works to proceed with the project design and prepare and execute any required funding documents required for the \$150,000 Emergency Community Water Assistance Grant.

Item 19 – UPMC Western Maryland Health System Service Agreements – Board of County Commissioners approved service agreements with UPMC Western Maryland for the County owned portion of the Willowbrook Office Center occupied by the Allegany County Health Department, and for areas owned by the Willowbrook Health Center Condominium Association.

County Administrator Jason Bennett expressed his appreciation for the graduations held the previous day.

County Attorney Lee Beeman had no further remarks to make at this evening's meeting.

Commissioners' statements, comments, recognition –

Commissioner David Caporale wished everyone a safe and happy Memorial Day weekend.

Commissioner Jacob Shade announced that the Allegany County Fair will be held this year, from July 16 through July 24, 2021. He added that tickets for the two concerts to be held at the Fair will go on sale on June 1, 2021, and that information about the Fair will be available on line. Fair admission will be free this year in honor of the Fair's 35th anniversary.

Constituents – In order of sign-up sheet –

Reminders/Upcoming Meetings –

Next Public Business Meeting – Thursday, June 10, 2021, 5:00 p.m.

Announcement – Allegany County Government Schedule (See News Release)

ADJOURNMENT:

There being no further business to come to the attention of the Board, the meeting was adjourned at 5:30 p.m.

Jacob C. Shade, President

True Copy
Attest:

Cynthia A. Young
Recording Secretary



ALLEGANY COUNTY, MARYLAND

The Board of County Commissioners

701 Kelly Road
Cumberland, MD 21502
T 301 777-5911 F 301 724-6970
www.alleganygov.org

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

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

Fiscal Year 2022 Budget Message

May 27, 2021

Dear Allegany County Residents:

The Fiscal Year 2022 budget was prepared during an unprecedented time in our American History. Over the last 15 months, Allegany County's residents endured a tidal wave of uncertainty, fear, isolation and change as we endured the COVID-19 pandemic. We are optimistic that today we are well on our way to moving away from the pandemic and into a period of growth and recovery.

During the preparation of this budget, it was of the utmost importance to continue to demonstrate the fiscal restraint shown by the Board of County Commissioners in previous budgets, and as a result our FY 2022 budget includes no tax increases.

We were fortunate to be able to fully fund the requests of our outside agencies, who have all dealt with their own challenges throughout the pandemic. We wanted to thank Allegany College of Maryland, Allegany County Public Schools, Allegany County Health Department, and the Allegany County Library System for their continued partnership and for making very reasonable funding requests, as they fully understand these uncertain times.

While continuing to restrain the growth of government, Allegany County has successfully utilized federal and state stimulus funds to help our citizens throughout the pandemic in the form of small business, restaurant and hotel grants and social programs. As a result, we have been able to put necessary funds directly into hundreds of county businesses over the last year to help them to survive the pandemic. At the same time, we have fully prepared our own county workforce to be more resilient and responsive through the use of technology.

The FY 2022 budget continues to fund emergency management at historic levels, continues to invest in education, and further invests in our public infrastructure. We continue to benefit from partnerships forged between the County, our local agencies, state, and federal partners that have only strengthened during the pandemic.

Allegany County Government's FY 2022 Operating and the FY 2022 – FY 2026 Capital Improvement Program can be found on the County's website (www.alleganygov.org).

Sincerely,

The Board of County Commissioners

Jacob C. Shade, President

Creade V. Brodie, Jr., Commissioner

David J. Caporale, Commissioner

RESOLUTION NO. 21-12

Item 2

WHEREAS, the Board of County Commissioners must adopt a budget by June 30, 2021 for the Fiscal Year 2022; and

WHEREAS, the Board held a public preliminary budget hearing on April 22, 2021, and sought additional public business meeting; and

WHEREAS, the Finance Director, at the request of the Board, held budget hearings with all County departments, and the Allegany County Commissioners held hearings with agencies to review their requests and develop a balanced FY 2022 budget for the Board's review and approval.

NOW THEREFORE BE IT RESOLVED BY THE COUNTY COMMISSIONERS OF ALLEGANY COUNTY, MARYLAND, THAT:

1. The Commissioners adopt the FY 2022 Operating and Capital Budget, as summarized in the attached list of funds, in the amount of \$136,648,550.
2. The Commissioners hereby approve a 2% cost-of-living increase for employees. Across-the-Board increments for employees are not included in this budget.
3. The FY 2022 Budget reaffirms the County's Cash Management/Investment Policy as revised May 1996. We remain within the current self-imposed debt affordability standards, and have lowered our self-imposed debt service goals from more than a \$5 million annually to \$3 million annually.
4. The FY 2022 General Fund Budget will increase by 2.1%.
5. The FY 2022 Tax Levy continues to reflect the tax differential formula revisions based on the May 27, 2004 ruling by Circuit Court Judge Gary G. Leasure.
6. The FY 2022 budget reflects the operation of Paper Gaming with revenues, after all administrative costs, and in accordance with Section 1-112(f)(2)a, to designate 25% of remaining revenues to fire and rescue companies, and Section 1-112(f)(2)b of the Paper Gaming Regulations to designate the remaining (75%) for capital education project funding. As previously enacted, the county designates the Allegany County Fire & Rescue Board to determine distribution of all revenues as referenced in Section 1-112(f)(2)a for FY2021.
7. The Commissioners will maintain the same property tax and piggyback income tax rate for FY2022. No other taxes or fees have been increased.
8. The FY2022 Budget reflects an increase of \$798,052 in property tax revenue and a \$650,843 increase in income tax revenue. \$1,446,563 of fund balance was utilized in balancing this budget.
9. A State of Maryland mandate has placed 50% of the cost of operating the MD State Department of Assessment and Taxation Office in our FY2022 budget at a cost of \$350,000. This is the tenth year of this mandate, and the amount has seen a reduction from 90% in the first two budget years.
10. The FY2022 State disparity grant was calculated at \$7,298,505, and an additional supplemental disparity grant in the amount of \$1,632,106 will be appropriated as an offset to the teacher pension shift. The cost of the teacher's pension shift became part of the Board of Education's Maintenance of Effort Calculation in FY 2017.
11. The FY2022 Budget provides Maintenance of Effort to the Board of Education, and fully funds requests from Allegany College of Maryland, the Allegany County Health Department, and the Allegany County Library System.
12. The FY2022 Budget stays within our debt service goals.
13. The FY2022 Budget provides for funding of the Western Maryland Scenic Railroad, Allegheny Highlands Trail, Tourism, Arts Council, Cumberland Theatre, Cumberland Historic Cemetery Organization and the Toll House, from collections of the Hotel/Motel tax.
14. The FY 2022 Budget is the eleventh budget having the County health insurance program as self insured in an effort to manage the costs of it more effectively.

Adopted this 27th day of May, 2021

County Commissioners of Allegany County, Maryland

Jacob C. Shade, President

Creade V. Brodie, Jr. Commissioner

David J. Caporale, Commissioner



Allegany County, Maryland

Tax Levy and Differential

May 27, 2021

Item 3

Real Property

The State Tax Rate has been fixed by the Board of Public Works of the State of Maryland at 11.2 cents (\$0.1120) per \$100 of assessable real property subject to such tax which added to the non-city tax rate of \$0.9750 dollars (\$0.9750) makes a total of \$1.0870 on each \$100 of assessable non-city property subject to such tax.

Personal Property

The State Tax Rate has been fixed by the Board of Public Works of the State of Maryland at 0.0 cents (\$0.00) per \$100 of assessable personal property subject to such tax which added to the non-city tax rate of \$2.4375 dollars (\$2.4375) makes a total of \$2.4375 on each \$100 of assessable non-city property subject to such tax.

Public Utilities

The State Tax Rate has been fixed by the Board Of Public Works of the State of Maryland at 0.28 cents (\$0.2800) of assessed value of the property of public utilities subject to such tax which added to the non-city tax rate of \$2.4375 dollars (\$2.4375) makes a total of \$2.7175 on each \$100 of assessed value of property of public utilities non-city property subject to such tax.

In compliance with the provisions of Section 6-302 and 6-305 of the Tax Property Article of the Annotated Code of Maryland, the following tax rates will be levied in the municipalities in Allegany County:

	<u>Real Property</u>		<u>Personal Property & Public Utilities</u>	
	<u>Differential</u>	<u>Adjusted Levy</u>	<u>Differential</u>	<u>Adjusted Levy</u>
Barton	\$0.0656	\$0.9094	\$0.1640	\$2.2734
Cumberland	\$0.1435	\$0.8315	\$0.3588	\$2.0788
Frostburg	\$0.1123	\$0.8627	\$0.2808	\$2.1567
Lonaconing	\$0.0977	\$0.8773	\$0.2443	\$2.1932
Luke	\$0.0997	\$0.8753	\$0.2493	\$2.1882
Midland	\$0.0656	\$0.9094	\$0.1640	\$2.2734
Westernport	\$0.0656	\$0.9094	\$0.1640	\$2.2734

The Board of County Commissioners is, by authority of Section 10-301 of the Tax Property Article of the Annotated Code of Maryland, establishing a discount rate as follows: One percent (1%) shall be deducted from real property tax bills for County purposes which are paid in a full annual payment during the months of July and August. No discount will be provided on such tax bills during the month of September nor will any discounts be allowed on any other payments including personal property. Interest at the rate of one and one-half percent (1 ½%) per month, or fractional part thereof, shall be charged from the first day of October on full-year property and after thirty (30) days on half-year new construction property as allowed by Section 14-603 and Section 14-604 of the Tax Property Article of the Annotated Code of Maryland. On owner occupied residential real property, interest of one and one-half percent (1 ½%) per month shall be charged from October 1st on coupon number one (1) and January 1st for coupon number two (2). Furthermore the rate of redemption is eighteen percent (18%) per annum as allowed by Section 14-820 of the Tax Property Article of the Annotated Code of Maryland.

State Of Maryland

Allegany County, To-Wit:

Chapter 261 of the Acts of 1918 of the Public General Laws of Maryland, provided that no discount will be allowed on State taxes. Interest at the rate of one percent (1%) per month will be collected from October 1st.

The Collector of Public Assessments of Allegany County, Maryland for the year July 1, 2021 through June 30, 2022 is hereby authorized and empowered to demand and receive from the non-city taxables of Allegany County the sum of \$1.087 dollars (\$1.087) on real property, the sum of \$2.4375 dollars (\$2.4375) on personal property, and the sum of \$2.7175 dollars (\$2.7175) on public utilities for One Hundred Dollars assessable non-city property subject to such tax, and the sums set forth herein for all assessable property located in each of the municipalities in said County and State, including State Tax rate as fixed by the Board of Public Works, agreeable to the Public General Laws of Maryland, in relation to collection of taxes on said assessments in Allegany County, Maryland.

Given under our hands and seal this 27th day of May, 2021.

**County Commissioners Of
Allegany County Maryland**

Jacob C. Shade, President

Attest:

Creade V. Brodie, Jr., Commissioner

Jason Bennett County Administrator

David J. Caporale, Commissioner

Item 4



SUPPLEMENTAL LEVY FOR SPECIAL TAXING AREAS OF ALLEGANY COUNTY, MARYLAND May 27, 2021

As provided by Statutes, the Collector of Public Assessments for Allegany County, Maryland, for the fiscal year 2021-2022, is hereby authorized and empowered to demand and receive from the taxpayers of the following Special Taxing Areas of Allegany County, Maryland, at the rates herein stated, on each one hundred dollars of assessable property located within said districts:

Table with columns: DISTRICT, Real, Personal & Public Utility. Lists various districts and taxing areas with their respective rates.



**SUPPLEMENTAL LEVY
FOR
SPECIAL TAXING AREAS OF
ALLEGANY COUNTY, MARYLAND
May 27, 2021**

As provided by Statutes, the Collector of Public Assessments for Allegany County, Maryland, for the fiscal year 2021-2022,
is hereby authorized and empowered to demand and receive from the taxpayers of the following Special Taxing Areas of
Allegany County, Maryland, at the rates herein stated, on each one hundred dollars of assessable property located within said districts:

<u>DISTRICT</u>	<u>Real</u>	<u>Personal & Public Utility</u>
ELLERSLIE SPECIAL TAX AREA OF ALLEGANY COUNTY Chapter 587 of the Laws of Maryland passed by the General Assembly of Maryland at its 1963 Session	0.030	0.075
LAVALE SANITARY COMMISSION OF ALLEGANY COUNTY Chapter 13 of the Acts of the Extraordinary Session of the General Assembly of Maryland, 1947	0.075	0.133
LAVALE VOLUNTEER FIRE DEPARTMENT, INCORPORATED Chapter 850 of the Acts of the General Assembly of Maryland at its 1963 Session	0.040	0.100
LAVALE VOLUNTEER RESCUE SQUAD, INC. Senate Bill 890, made and passed at the 1972 Session of the General Assembly of Maryland	0.020	0.050
MCCOOLE SPECIAL TAX AREA Chapter 505 of the Acts of the General Assembly of Maryland at its 1965 Session	0.040	0.100
MOSCOW SPECIAL TAXING AREA Code Home Rule Bill 4-93 passed 21st day of April 1993 by the Board of Allegany County Commissioners	0.100	0.250
MOUNT SAVAGE SPECIAL TAXING AREA Chapter 99 of the Laws of Maryland passed by the General Assembly of Maryland at the 1950 Session	0.040	0.100
POTOMAC PARK CITIZENS COMMITTEE, INC. Chapter 843 of the Acts of the General Assembly of Maryland at its Regular Session of 1947	0.045	0.113
RAWLINGS SPECIAL FIRE TAX AREA Code Home Rule Bill 3-91 passed 3rd day of May 1991 by the Board of Allegany County Commissioners	0.100	0.250

Said taxes are to be collected in accordance with the provisions of the Public General Laws of Maryland
relating to collection of taxes on assessments in Allegany County, Maryland.

Given under our hands and seal this 27th day of May, 2021.

**COUNTY COMMISSIONERS OF
ALLEGANY COUNTY, MARYLAND**

ATTEST:

JACOB C. SHADE, PRESIDENT

Jason M. Bennett, CPA - County Administrator

CREADE V. BRODIE, JR., COMMISSIONER

DAVID J. CAPORALE, COMMISSIONER



ALLEGANY COUNTY

DEPARTMENT OF PUBLIC WORKS

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Adam B

BOARD OF COMMISSIONERS

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

County Administrator
Paul F. Kahl, P.E.
Director of Public Works
Adam Patterson, P.E.
Deputy Director

STAFF REPORT

TO: Jason Bennett, CPA, County Administrator
FROM: Adam Patterson, P.E., Deputy Director of Public Works *Adm*
Paul Kahl, P.E., Director of Public Works
CC: Sanitary Commission
DATE: May 21, 2021
RE: Allegany County FY 2022 Water and Sewer Rates

For the Agenda of: May 27, 2021 Public Meeting

1. BACKGROUND

The Allegany County Public Works Utilities Division met with the Allegany County Sanitary Commission on April 20th and May 5th to discuss the FY 2022 rates for the Allegany County water and sanitary districts. The Sanitary Commission approved the recommended rates on May 5, 2021. The recommended rate information was presented publicly at the County Commissioners Business meeting on Thursday, May 13, 2021.

A summary of the proposed rates are as follows:

Water Districts

1. The Bedford Road Water District will pay a \$72 per year surcharge to cover the debt incurred as a result of the Morningside Drive and Patmar Drive water project that was completed in fall 2019. The District also pays less for water than what the County is charged by Cumberland. Increase the water rate in Bowman's Addition from \$5.89 to \$7.06.
2. The Bowling Green Water District will be increased \$32 per year on the minimum charge.
3. Districts served by Frostburg water will be increased from \$4.03 per thousand to \$4.76 per thousand. Debt surcharge will increase from \$7.75 per month to \$9.75 per month; Eckhart's will increase from \$1.65 per month to \$3.95 per month. The water rate increase will be utilized for the next 3-years and the surcharge will now be reviewed annually. These cost increases were proposed by Frostburg and reviewed by the County and agreed upon. The total annual cost increase is approximately \$60 per year (9.5% increase). The County's minimum cost will not be increased in FY 2022.
4. The Cresaptown Water District will pay a \$20 per year surcharge to cover the debt incurred as a result of the Brant Road water project. The Cresaptown Water District will be reduced

to 2,000 gallon per quarter (free) and \$16 per year increase on the minimum charge for 'In District' customers.

5. The Franklin Water District will be increased \$16 per year on the minimum charge.
6. The Jennings Run Water District will be increased \$32 per year on the minimum charge.
7. The McCoole Water District will be increased \$32 per year on the minimum charge.
8. Increase the water rate in the Mexico Farms District from \$5.89 to \$7.06.
9. The Oldtown Road Water District will be increased \$24 per year on the minimum charge.
10. The Rawlings Water District will be increased \$16 per year on the minimum charge.

Any water rate increases from the City of Cumberland, Westernport, or Keyser will be passed onto the County customers.

Sanitary Districts

1. The Bedford Road Sanitary District minimum will be increased \$48 per year.
2. The Biers Lane Sanitary District minimum will be increased \$56 per year.
3. The Bowling Green Sanitary District will no longer be assessed based on percentage of water use. The Bowling Green Sanitary District quarterly minimum charge will be \$114.
4. The Braddock Run Sanitary District has completed one sanitary sewer project recently and the Locust Grove Pump Station project will be underway by June 2021. The debt service for these two projects will be covered by an increase to the ad valorem of 1 penny for both Braddock Run and Jennings Run Sanitary Districts and a \$12 per year surcharge increase will be imposed on the Braddock Run Sanitary District. The surcharge was not applied to the Jennings Run Sanitary District. Operation and maintenance of the pump station is not considered in the rate calculation and will be discussed in the future. The front-footage assessment for Corriganville, Ellerslie, and Mt. Savage will be replaced with a surcharge of \$12 annually. The minimum will be increased \$40 per year for both Jennings and Braddock.
5. The Cresaptown Sanitary District minimum will be increased \$40 per year.
6. The Georges Creek Sanitary District minimum will be increased \$40 per year.
7. The Flintstone Sanitary District minimum will be increased \$56 per year.
8. The Franklin/Brophytown District minimum will be increased \$56 per year; not 'Grinder Pump' – Town.
9. The McCoole Sanitary District minimum will be increased \$56 per year.
10. The Mexico Farms Sanitary District has completed a major pump station replacement project in the past calendar year. The new debt service incurred by the project will be covered largely by increase to our industrial/commercial customers in the North Branch Industrial Park. These customers are billed based on their water use. The approximate annual water use for the NBIP is 65MG. The sanitary charge is \$3.77 per thousand. A 15% increase is needed to cover the new debt service. The proposed sanitary charge is \$4.33 per thousand. A \$8 per year surcharge will also be applied to the residential customers for debt service payment. The minimum will be increased \$40 per year. Additional increase to the commercial rate is recommended for operations, resulting in a 26% increase to \$4.75.
11. The Oldtown Sanitary District minimum will be increased \$56 per year.
12. The Oldtown Road Sanitary District minimum will be increased \$48 per year.
13. Current commercial sewer rates are \$3.77 per thousand in Mexico Farms District and \$3.42 per thousand in all other Districts. Increase Mexico Farms District to \$4.75 per thousand. Proposed rate for all other Districts would be \$4.00.

2. ISSUES

Customer utility bills will increase an average of 9.1%.

3. FINANCIAL IMPACT

The proposed rates would cover the increasing operations and maintenance costs, debt service for the recent and active construction projects and allow for all minimal amount of capital improvement projects.

4. ALTERNATIVES

Do not adopt the proposed fiscal year 2022 rates.

5. OTHER CONSIDERATIONS

N/A

6. CONFORMITY TO COUNTY POLICY

Conforms to County policy.

7. RECOMMENDATION

Approve the water and sewer rates recommended by the Allegany County Sanitary Commission for FY 22, and adopt the rates as part of the Allegany County FY 22 Budget.

Department of Legislative Services
Maryland General Assembly
2021 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 880
Economic Matters

(Allegany County Delegation)

Education, Health, and Environmental Affairs

Allegany County - Alcoholic Beverages Licenses - Annual Fees

This emergency bill authorizes the Allegany County Board of License Commissioners to reimburse license holders for certain annual fees, as specified, for the 2020-2021 licensing period. The bill requires the board to waive or impose lower annual fees relating to the same types of licenses for the 2021-2022 licensing period. **The bill terminates June 30, 2023.**

Fiscal Summary

State Effect: None.

Local Effect: Allegany County expenditures increase by an estimated \$80,000 beginning in FY 2022 to the extent license holders are reimbursed for past license fees, as discussed below. Additionally, Allegany County revenues decrease by an estimated \$80,000 in FY 2022 due to license fees being waived. **This bill imposes a mandate on a unit of local government.**

Small Business Effect: Minimal overall, but potential meaningful impact for small business license holders that receive reimbursements and/or pay less in annual license fees.

Analysis

Bill Summary: For the 2020-2021 licensing period, the board may reimburse each license holder in the county (1) the entire amount of the annual fee for any alcoholic beverages license issued by the county that permits the holder to sell alcoholic beverages for on-premises consumption only and (2) an amount equal to one-half of the annual fee for any alcoholic beverages license issued by the county that permits the holder to sell alcoholic beverages for both on- and off-premises consumption.

For the 2021-2022 licensing period, the board must waive the entire amount of the annual fee for any alcoholic beverages license issued by the county that permits the holder to sell alcoholic beverages for on-premises consumption only and may only impose an amount equal to one-half of the annual fee for any alcoholic beverages license issued by the county that permits the holder to sell alcoholic beverages for both on- and off-premises consumption.

Current Law: Generally, the payment of annual fees for a local alcoholic beverages license in the State is made to the local collecting agent and these fees are then remitted to the county, as specified. An alcoholic beverages license holder is generally not entitled to a refund on the unearned portion of the license fee. However, refunds are authorized by State law if (1) the license holder goes into bankruptcy; (2) the license holder dies; (3) the license holder volunteers for or is drafted into the armed forces United States or an organized State militia; (4) the license holder surrenders the license and receives a new license of another class carrying a higher fee; (5) the license holder is found guilty of a crime and the license is revoked; (6) the issuance of the license by a local licensing board is reversed upon judicial review and the establishment is prohibited; or (7) the licensed premises is taken by the federal government, the State, or municipality for public use.

Local Fiscal Effect: Allegany County advises that, based on the value of the affected fees and the timeframe in which fees are typically paid and/or collected during the calendar year, the county estimates that approximately \$80,000 in license fees for each of the two licensing periods are affected. To the extent license holders are reimbursed for the 2020-2021 licensing period, county expenditures increase by approximately \$80,000, in fiscal 2022 only. The estimated \$80,000 in fees that must be waived for the 2021-2022 licensing period constitute decreased revenues for the county in fiscal 2022 only.

Additional Information

Prior Introductions: None.

Designated Cross File: SB 679 (Senator Edwards) - Education, Health, and Environmental Affairs.

Information Source(s): Allegany County; Department of Legislative Services

Fiscal Note History: First Reader - February 18, 2021
rh/tso Third Reader - March 17, 2021



ALLEGANY COUNTY
DEPARTMENT OF ECONOMIC
& COMMUNITY DEVELOPMENT

Item 9

701 Kelly Road, Suite 400 • Cumberland, Maryland 21502

STAFF REPORT

TO: Jason M. Bennett, County Administrator
FROM: David K. Nedved^{dh}, Economic & Community Development Representative
DATE: May 20, 2021
RE: Nonprofits-Local Government Program Grant Agreement for the Nonprofit Recovery Initiative (NORI) Funding

For the Agenda of: May 27, 2021

Background: Allegany County is receiving \$232,947 in Nonprofit Recovery Initiative (NORI) funding to make grant awards to local nonprofits. The first round was administered and awarded by the Maryland State Government, specifically, the Maryland Department of Housing and Community Development (DHCD). The total for the first round was \$289,850. The second round is being administered and awarded by Allegany County Government. Awards will be made by Allegany County's Department of Economic and Community Development (DECD). NORI provides grant assistance to nonprofit organizations whose critical operations were financially impacted by COVID-19 and the state-of-emergency.

Applications for non-profits to complete were made available starting May 17, 2021, at noon until May 28, 2021, at 4:00 pm at <https://www.alleganygov.org/1709/County-Grant-Programs>. The applications are in Word and a fillable PDF and when completed can be sent to dnedved@alleganygov.org. Awards will be announced June 15, 2021.

Issues: In order to receive this funding, the President of the Board of County Commissioners has to sign a Grant Agreement. Further, the President has to sign any additional document(s) that may be required in the future that relate to this Grant Agreement or the awarding of these funds.

Financial Impact: No local match is required.

Alternatives: N/A

Other Considerations: N/A

Conformity to County Policy: Allegany County government has already been the grantee for grant assistance two times to hotels/motels (Allegany County Lodging and Accommodations COVID Relief Grant) and three times to restaurants (Allegany County Restaurant and Caterers COVID Relief Grant) for operations that were financially impacted by COVID-19 and the state-of-emergency.

Recommendation: That the Board of County Commissioners authorize the President to sign a Nonprofits-Local Government Program Grant Agreement for the Nonprofit Recovery Initiative (NORI) funding accepting an award of \$232,947 for Allegany County. Further, request the Board authorize the President to sign any additional document(s) that may be required in the future that relate to this Grant Agreement or the awarding of these funds.

DKN:kam

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