

September 10, 2020

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 all 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 August 27, 2020, public business meeting.

PRESENTATION

Item 1 – Emergency Management Services Billing Update – James R. Pyles, Director of Emergency Services, provided an Emergency Medical Services billing update. Mr. Pyles explained that fifteen months ago, an EMS Billing Committee was formed and tasked with providing a recommendation for a fair, equitable, and reasonable billing solution to replace the system that was set up thirteen years ago. He reported that last Thursday (September 3, 2020) the Billing Committee completed its journey. Mr. Pyles thanked Commissioner Shade and Administrator Bennett for facilitating that September 3rd meeting. He remarked that there was give and take on both sides of the billing issue. Mr. Pyles explained that when there are two providers, the percentage is going from fifty (50%) percent to sixty (60%) percent; with one provider, it is going from the current percentage of thirty-five (35%) percent to fifty (50%) percent.

The Commissioners thanked Mr. Pyles for his work on this issue. Commissioner Shade said that the Commissioners' number one goal is that when someone calls 911, help will be there in a reasonable amount of time. He said that action will probably be taken on the issue at the next Commissioners public business meeting in two weeks.

PUBLIC HEARING

Item 2 – Maryland Department of Housing and Community Development (DHCD) Community Development Block Grant (CDBG) Public Hearing – The Allegany County Commissioners will obtain the views of citizens on community development, economic development, and housing needs, and offer citizens the opportunity to review the application for funds awarded through the federal CARES Act for coronavirus prevention, preparation, and response in Allegany County – David K. Nedved, Economic & Community Development Representative, presented background and information as set forth on his Staff Report on the subject dated September 8, 2020. A complete copy, with attachments, of the Staff Report is attached to and made a part of these Minutes.

Mr. Nedved specifically pointed out that the draft application has been made available for the public to review and to provide comments on Tuesday, September 8, 2020, until Monday, September 14, 2020, during normal business hours at the Allegany County Department of Economic and Community Development, 701 Kelly Road, Suite 400, Cumberland, Maryland, by appointment, or by e-mail, contacting David Nedved at 240-727-2787 or at dnedved@alleganygov.org.

He then said that at this time, he would take any comments or questions that anyone may have. There were no comments or questions. Hearing closed.

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 recommended by the County Administrator.

Item 3 – Governor's Office of Crime Control and Prevention Grant – Board of County Commissioners authorized the President to sign a grant agreement with the Governor's Office of Crime Control and Prevention accepting \$20,000 to support the recruiting and retention efforts of the Allegany County Sheriff's Office.

Item 4 – Governor’s Office of Crime Control and Prevention Grant – Community Grant Program Fund – Board of County Commissioners authorized the President to sign a grant agreement with the Governor’s Office of Crime Control and Prevention – Community Grant Program Fund accepting \$13,195 to support community policing events and initiatives in Allegany County.

Item 5 – Declaration of Surplus Vehicles – Board of County Commissioners declared the following vehicles as abandoned and sold by public auction: 2000 Dodge Neon VIN: 1B3ES46C2YD839906; 2005 Ford Taurus VIN: 1FAFP53205A142842; 2004 Nissan Sentra VIN: 3N1CB51D54L862924; 2000 Saturn Sedan VIN: 1G82H5282YZ235680; 2002 Mercury Sable VIN: 1MEFM55S82A607068; 2001 Ford Taurus VIN: 1FAFP53UX1A160681; 2015 Nissan VIN: 3N1AB7AP0FY337644; 2006 Volkswagen Jetta VIN: 3VWSF71KX7M009213; 2003 Dodge Ram Truck VIN: 1D7HA16K33J511785; 1998 Subaru Forester VIN: JF1SF6357WH702365; 2005 Ford Taurus VIN: 1FAFP56U15A285151; 1997 Honda Civic VIN: 1HGEJ6672VL017822; 1995 Chevy S-10 VIN: 1GCCS1943S8209806; 1995 Dodge Ram 1500 VIN: 1B7HF16Y2SS294500; 2006 Ford Taurus VIN: 1FAFP56U46A220344; 2009 Dodge Charger VIN: 2B3KK33VX9H599396; 2001 Toyota Camry VIN: 4T1BG22K01U015019; 2015 Polaris 570 4-wheeler VIN: 4XASEA577FA240582; 2001 Yamaha MC VIN: JYAVM01E41A034759; 2003 Mercedes Benz VIN: WDBNG70J03A349823; 2012 Chevy Cruz VIN: 1G1PD5SH0C7329465. Also, to have the following vehicles declared surplus to be sold by public auction: 2008 Ford Taurus VIN: 1FAHP27W58G137268, and a 1996 Landscape Trailer VIN: 46UFU101XT1046437.

Item 6 – Audit Services Engagement Letter – Board of County Commissioners approved Turnbull, Hoover & Kahl, P.A. for performance of audit services for County Fiscal Years ending June 30, 2020, 2021, 2022, 2023, and 2024.

Item 7 – Federal Fiscal Year 2020 State Homeland Security Program Grant Acceptance – Board of County Commissioners authorized the FFY 2020 State Homeland Security Program Grant funding in the amount of \$120,330.69, as well as modification to budget 1448 to reflect this grant. This grant will be utilized to enhance interoperable communications as well as to update and enhance emergency preparedness and response plans.

Item 8 – Bridge A-053 Slabtown Road Superstructure Replacement – Board of County Commissioners authorized the Department of Public Works to award the superstructure replacement of Bridge A-053 Slabtown Road to Circle C Truckin’ in the amount of \$99,624, and authorized the President to sign necessary award documents and agreements to proceed to construction.

Item 9 – Community Promotions – Board of County Commissioners authorized the County Finance Office to remit \$500 budgeted from the Community Promotions Account to support the Joe Howser Memory Walk to be held on Saturday, October 10, 2020 at the Cresaptown PVAA Sports Complex Track, Darrow’s Lane, Cresaptown.

Commissioner Shade called forward Tammy Fraley, President of the Allegany County Board of Education, to provide an update regarding back to school in Allegany County Public Schools. Mrs. Fraley discussed that one of the biggest challenges currently being faced is problems with broadband internet as the students attend school virtually. She pointed out that many families do not have good access to the internet, and told the Commissioners that it is important that the County keeps working to get broadband that is accessible throughout the County.

Mrs. Fraley pointed out that it would not be possible at this time for students to be fully back in school, in the buildings, because of the six-foot social distancing requirement. She remarked that the only way everyone could go back to school, either fully or hybrid, would be if the social distancing requirement were eliminated.

Mrs. Fraley then reported that State requirements changed August 28, 2020, to provide if a student were to exhibit “COVID-like” symptoms at school, which could be as simple as a runny nose and a sore throat, and visits the nurse’s office with those symptoms, that student would have to go home, and any other students from the same home, regardless of the school attended, would also have to go home. She added that parents, teachers, and fellow classmates, as well as their family members, could also possibly be sent home. Mrs. Fraley asked for the Commissioners’ support as the Board works with the Health Department to try to reverse the inclusion of the symptoms of runny nose and sore throat as a reason to send students and family member’s home.

To conclude her comments, Mrs. Fraley told the Commissioners that she has confirmation from the State that the Allegany County Board of Education did turn in a plan, and that they now have dates for a return to school plan.

Commissioner Shade asked Mrs. Fraley to talk about the phases of the Board of Education's plan. She told him that Phase 1 is what is in place now, and that Phase 2 is scheduled to start on September 21, 2020, or before, depending on transportation arrangements. Mrs. Fraley explained that Phase 2 will involve phasing in small groups for in-person, with such small groups to include special education students with the most severe needs first, and also those students for whom it would be detrimental to not have hands-on activities. She added that Phase 3 would be students who do not have internet connectivity, and Phase 4, which would start October 5, 2020, would phase in elementary school students, starting with the younger grades first.

Mrs. Fraley explained that Phase 5 will start when Phases 1 through 4 have all been accomplished successfully. She pointed out that State regulations provide that the Health Department has the right to shut the schools down again in the event of an outbreak of COVID anywhere in the school system (with "outbreak" being defined as one or more persons testing positive for COVID-19).

Commissioner Brodie thanked Mrs. Fraley for attending the meeting and presenting the Board of Education's update, and he commended the members of the BOE for their dealings with the State.

Commissioner Caporale asked Mrs. Fraley about the protocol in the incidence of a runny nose; would that require testing? Mrs. Fraley replied that if a student were to visit the school nurse with any two of the symptoms on the list of symptoms, such as a runny nose and sore throat, that student would be sent home that day. She explained that if the student would then go to the doctor and get an alternative diagnosis (one that is not COVID-19), then the student could return to school immediately; otherwise, he or she would have to stay home for 14 days, and all people in his or her line of contact would also have to stay home for 14 days. Commissioner Shade said the County can hopefully work with the Allegany County Health Officer on this issue.

Mrs. Fraley thanked the Commissioners for their time, and they thanked her for her update.

County Attorney Lee Beeman had no further comments to make at this meeting.

County Administrator Jason Bennett thanked Jimmy Pyles, Director of Emergency Services, and his staff for their efforts, and also thanked Board of Education President Tammy Fraley for her update presentation. Mr. Bennett also expressed his appreciation for the efforts of the teachers in the Allegany County School System, remarking that some of them are going above and beyond for their students.

Commissioners' statements, comments, recognition –

Commissioner Jake Shade commented that it should be safety first, then getting the students back into school second.

Commissioner David Caporale had no further comments to make at this meeting.

Commissioner Creade Brodie had no further comments to make at this meeting, other than to also offer his thanks to Emergency Services Director Pyles.

Constituents – In order of sign-up sheet (no one signed up to speak at this meeting other than Board of Education President Tammy Fraley)

Reminders/Upcoming Meetings –

Next Public Business Meeting – Thursday, September 24, 2020, 5:00 p.m.

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

Item 2



ALLEGANY COUNTY DEPARTMENT OF ECONOMIC & COMMUNITY DEVELOPMENT

701 Kelly Road, Suite 400 • Cumberland, Maryland 21502

STAFF REPORT

TO: Jason M. Bennett, Interim County Administrator
FROM: ^{DN} David K. Nedved, Economic & Community Development Representative
DATE: September 8, 2020
RE: Required Application Hearing for COVID CDBG Funding, Round 2

For the Agenda of: September 10, 2020

Background: By October 2, 2020, the Maryland Department of Housing and Community Development (DHCD) will accept applications for a Community Development Block Grant (CDBG) funded with an award from the federal CARES Act from eligible jurisdictions throughout the state. Allegany County intends to submit an application for an amount up to \$40,000 for a project listed in the application, specifically rental assistance. The activity funded is to respond to the coronavirus crisis. In this county, Allegany County has to be the applicant. The activity, however, will be provided by the Allegany County Human Resources Development Commission (HRDC).

Issues: As part of the CDBG application process for the projects listed in the application, a public hearing must be held for public input. This public hearing is required to be held during a Commissioners' Public Meeting and a formal Notice of Public Hearings has to be given at least five (5) days before the hearings. The notice will be advertised in the Cumberland Times-News on Saturday September 5, 2020. The public hearing will be at the September 10, 2020, Commissioners' public meeting.

Financial Impact: If awarded, a CDBG will provide an amount up to \$40,000 for the project listed in the application.

Alternatives: None

Other Considerations: The coronavirus crisis is creating needs that are extraordinary in nature, and that is why this funding is being offered from the federal CARES Act.

Conformity to County Policy: The County has already expressed support for CDBG funding over the years with multiple applications and grant agreements for multiple projects. Also, the Allegany County Commissioners recently approved on May 28, 2020, previous CDBG funding from the Federal Cares Act, which included \$55,000 in rental assistance, and \$223,750 overall. Other programs that were part of this award were homeless services, and food programs for seniors and disabled persons.

Recommendation: Please schedule the CDBG hearings for the September 10, 2020, public meeting.

cc: Jeffrey S. Barclay, Director – Economic & Community Development
Jason M. Bennett, Director – Finance

Public Hearing Background Information

for

COMMUNITY DEVELOPMENT, ECONOMIC DEVELOPMENT AND HOUSING NEEDS

and

CORONAVIRUS PREVENTION, PREPARATION AND RESPONSE

Notice was given in the *Cumberland Times-News* on Saturday, September 5, 2020, that the Allegany County Commissioners would sponsor a public hearing on the following subjects:

1. To obtain the views of citizens on:

COMMUNITY DEVELOPMENT, ECONOMIC DEVELOPMENT AND HOUSING NEEDS

2. To offer citizens the opportunity to review an application for funds for:

CORONAVIRUS PREVENTION, PREPARATION AND RESPONSE

The draft application will be available for the public to review and to provide comments on Tuesday, September 18, 2020, until Monday, September 14, 2020, during normal business hours at the Allegany County Department of Economic and Community Development, 701 Kelly Road, Suite 400, Cumberland, MD by appointment, or by e-mail, contacting David Nedved at 240-727-2787 or at dnedved@alleganygov.org.

Citizens will have the opportunity to discuss proposed projects and to provide input on other needs to be considered. The hearing will be held in the Allegany County Commissioners' Public Meeting Room 100, 701 Kelly Road, Cumberland, MD, at 5 p.m. on Thursday, September 10, 2020. A live feed of the proceedings will be available on the County's website, <https://alleganygov.org/>, at 5 pm. Citizens wishing to address the Board may do so by e-mailing comments to dnedved@alleganygov.org by 2 pm on Thursday, September 10, 2020.

Under the CARES Act, Congress provided \$5 billion to fund the Community Development Block Grant Program (CDBG-CV) for activities to prevent, prepare for and respond to the coronavirus crisis. The first \$2 billion was distributed using the same formula the United States Department of Housing and Urban Development (HUD) used to award funds to entitlements and states for federal fiscal year 2020. The State of Maryland, through the Department of Housing and Community Development (DHCD) was awarded \$4,691,887 for non-entitlement communities. HUD then awarded \$1 billion to states and Maryland was awarded \$16,144,887, which will be distributed under Round 2.

HUD provides the State with “maximum feasible deference” to create additional policies, be more restrictive than HUD in policies and interpretation of regulations, and to determine how funds will be distributed. Additionally, the State may choose not to fund certain types of projects though they are eligible. Of the total funds received, 70% of the funds must be spent on activities that benefit low and moderate income persons. For this grant, HUD has removed the 15% limit on funding of public services.

The CDBG-CV funds will be distributed as follows:

STATE OF MARYLAND CDBG-CV ALLOCATION – ROUND 1	
State Administration (5%)	\$807,244
Technical Assistance (2%)	\$322,897
Projects and Activities	\$15,014,746
TOTAL	\$16,144,887

ELIGIBILITY, NATIONAL OBJECTIVE AND ELIGIBLE USES

For this grant, the State chooses to only accept applications from county governments and the City of Baltimore (herein referred to as a county) through a competitive process. This limitation is an effort to address needs impacting the entire county.

A county government may submit an application which includes projects to be carried out by subrecipients *if they choose to do so*. Eligible subrecipients are non-profit organizations that are corporations, associations, agencies or faith-based organizations with non-profit status under the IRS Section 501(c)(3).

The county government is expected to conduct a risk analysis to review and evaluate the financial and administrative capacity of subrecipients to manage and complete projects. This risk analysis should include an assessment of past performance with CDBG funds, experience of staff, and determination that the proposed number of staff to carry out the project(s) is sufficient. If funded, the grantee will be required to execute a Subrecipient Agreement with the specific entity(s). These agreements bind subrecipients to the requirements and policies of the CDBG program and the grantee.

No funds will be awarded for general administration or indirect costs. County applicants can request reasonable amounts of funds for project administration for themselves and one subrecipient, if applicable. If an application includes more than one subrecipient, the applicant may only ask for project administration for one of them.

CDBG funded projects must meet at least one of the following national objectives as required by Title I of the Housing and Community Development Act of 1974, as amended:

- to benefit low and moderate income persons;
- to prevent or eliminate conditions of slum and blight; or
- to meet an urgent need.

To ensure that the grant activities are used to prevent, prepare for and respond to the coronavirus crisis, the State has chosen to limit the use of these funds to benefit low and moderate income persons through housing activities. All households that receive a benefit must have a total household income that is at or less than 80% of the area median income using income limits provided annually by HUD for each county.

Under the State CDBG Program, for public service activities, applicants must be able to demonstrate that they are implementing a new service or that they are addressing a quantifiable increase in the demand/need for existing services due to the coronavirus crisis.

Activities assisted under the State CDBG program must be eligible per Section 105(a) of Title I of the Housing and Community Development Act of 1974 ("HCD Act of 1974"), 42 U.S.C. § 5305(a), as amended, 24 CFR Part 570, and amendments issued by HUD specific to this funding.

The State chooses to limit the use of funds for emergency rental assistance projects which is a public service. Funds can be used to provide up to six consecutive months of rental assistance which includes current month and arrears, if any. Funds can also be used for reasonable project administration costs. Beneficiaries must be able to demonstrate that they have an unmet financial need and have lost their employment or had a reduction of work hours due to the coronavirus crisis.

APPLICATION SUBMISSION PROCESS

One original and two copies are due by October 2, 2020 by 5 p.m. Those received after the designated date and time will be rejected. Applications are to be mailed to: DHCD, 7800 Harkins Road, Lanham, MD 20706. Attention: CDBG Program.

NOTICE OF PUBLIC HEARING

Maryland Department of Housing and Community Development Community Development Block Grant Board of County Commissioners of Allegany County, Maryland

The Allegany County Commissioners will conduct a Public Hearing on the following subjects:

1. To obtain the views of citizens on:

COMMUNITY DEVELOPMENT, ECONOMIC DEVELOPMENT AND HOUSING NEEDS

2. To offer citizens the opportunity to review application for funds awarded through the federal CARES Act for:

CORONAVIRUS PREVENTION, PREPARATION AND RESPONSE

The draft application will be available for the public to review and to provide comments on Tuesday, September 8, 2020, until Monday, September 14, 2020, during normal business hours at the Allegany County Department of Economic and Community Development, 701 Kelly Road, Suite 400, Cumberland, MD by appointment, or by e-mail, contacting David Nedved at 240-727-2787 or at dnedved@alleganygov.org.

Citizens will have the opportunity to discuss proposed projects and to provide input on other needs to be considered. The hearing will be held in the Allegany County Commissioners' Public Meeting Room 100, 701 Kelly Road, Cumberland, MD, at 5 p.m. on Thursday, September 10, 2020. A live feed of the proceedings will be available on the County's website, <https://alleganygov.org/>, at 5 pm. Citizens wishing to address the Board may do so by e-mailing comments to dnedved@alleganygov.org by 2 pm on Thursday, September 10, 2020.

On the Allegany County Government web site, <https://alleganygov.org/>, citizens will be furnished with information including but not limited to:

- the amount of Community Development Block Grant Coronavirus Allocation for Round 2 for the State of Maryland funds available;
- the range of projects and activities that may be undertaken with Community Development Block Grant Coronavirus Allocation for Round 2 funds; and
- the proposed projects and activities under consideration by the Allegany County Commissioners.

The Maryland Community Development Block Grant Program is a federally funded program designed to assist governments with activities directed toward neighborhood and housing revitalization, economic development and improved community facilities and services. It is administered by the Maryland Department of Housing and Community Development.

Efforts will be made to accommodate the disabled and non-English speaking residents with at least three days' advance notice to David Nedved at 240-727-2787, or at dnedved@alleganygov.org

Jacob C. Shade, President
Board of County Commissioners
of Allegany County, Maryland

Adv: September 5, 2020

4D SATURDAY, SEPTEMBER 5, 2020

NOTICE OF PUBLIC HEARING

Maryland Department of Housing and Community Development

Community Development Block Grant

Board of County Commissioners of Allegany County, Maryland

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Jacob C. Shade, President
Board of County Commissioners
of Allegany County, Maryland